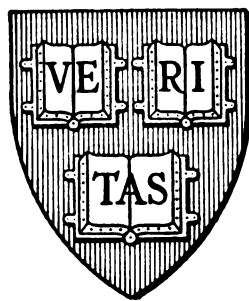

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ACCOUNTS AND PAPERS :

FOURTEEN VOLUMES.

— (14.) —

SLAVE TRADE ; STATE PAPERS ;
NUMERICAL LIST, AND GENERAL INDEX.

Session

3 February — 19 April 1859.

VOL. XXVII.

1859.

Brit Doc 648



ACCOUNTS AND PAPERS:

1859.

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SLAVE TRADE (ZANZIBAR).

RETURN to an Address of the Honourable The House of Commons,
dated 22 February 1859;—*for*,

“COPIES or EXTRACTS of the LETTERS of the Government of *Bombay* to Her Majesty’s Secretary of State for *India*, or the Court of Directors, forwarding Letters written in August and September 1858, by Captain *Rigby*, the Company’s Agent at *Zanzibar*, on the subject of the SLAVE TRADE at *Zanzibar* and along the *Mozambique Coast*.”

India Office, }
3 March 1859. }

J. W. KAYE,
Secretary in Political and Secret Department.

(*Mr. Kinnaird.*)

Ordered, by The House of Commons, to be Printed,
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EXTRACT Secret Letter from the Government of *Bombay* to the Honourable the Court of Directors, dated 24th September (No. 115) 1858.

WITH reference to the instructions received from the Honourable the Secret Committee, and alluded to in our despatch, dated the 7th instant, No. 112, we have the honour to forward to your Honourable Court copy of a letter from Captain C. P. Rigby, Honourable Company's agent at *Zanzibar*, dated the 15th August last, reporting circumstances connected with the slave trade on the East Coast of Africa.

EXTRACT Letter in the Secret Department from the Government of *Bombay* to the Honourable the Court of Directors, dated 9th October (No. 125) 1858.

1. IN continuation of the first and second paragraphs of our despatch of the 24th September last, No. 115, we have the honour to forward copy of a letter with enclosures from Captain C. P. Rigby, agent at *Zanzibar*, dated the 20th August last, reporting circumstances connected with the slave trade on the East Coast of Africa.

3. We have also the honour to forward copy of a letter from Captain Rigby, dated the 24th August last, reporting on the present state of affairs at *Zanzibar*.

EXTRACT Secret Letter from the Government of *Bombay* to Her Majesty's Principal Secretary of State for *India*, dated 9th November (No. 2) 1858.

Para. 1. Our last letter relative to the slave trade on the East Coast of Africa was addressed to the Honourable the Court of Directors, and bore date the 9th October last, No. 125.

2. We have now the honour, with reference to our letter No. 115, dated the 24th September last, to submit copies of two communications from Captain Rigby, our agent at *Zanzibar*, dated the 13th and 21st of the same month, and to solicit the earnest attention of your Lordship to the commerce in slaves which has recently been created on the East Coast of Africa by French influence.

(No. 10 of 1858.—Secret Department.)

From Captain *C. P. Rigby*, Honourable Company's Agent, *Zanzibar*, to
H. L. Anderson, Esq., Secretary to Government, *Bombay*.

Sir,

Zanzibar, 15 August 1858.

I HAVE the honour to report, for the information of the Right Honourable the Governor in Council, the following circumstances relative to the slave trade on the East Coast of Africa.

2. In consequence of some recent orders of the French Government, permitting the importation of negroes into the Island of Bourbon, the slave trade

all along the East Coast of Africa is being carried on to a far greater extent than has hitherto been known. Vessels are being sent out from France on purpose to be employed in conveying negroes from this coast. I am informed by the merchants here that one person in Marseilles has contracted to land 25,000 negroes in the Island of Bourbon within the next two years. These negroes are purchased by native agents all along the Mozambique coast, and taken on board French ships; they then go through the form of asking them if they are willing to engage themselves to serve for 10 years; the slaves, not understanding a word that is spoken, are previously ordered by their masters to nod their heads when spoken to, and this is considered sufficient assent. They are then registered and numbered, and forwarded in ship loads to Bourbon.

3. There is at present a large French ship of this description at anchor in this harbour; she is full of negroes, who wear a number on a piece of wood round their necks. I have been privately informed that she has been shipping negroes at night here by stealth: she is anchored outside all the other vessels in the harbour, and is said to be waiting the arrival of a French man-of-war, daily expected.

4. The sudden development of this trade on a scale of such magnitude has caused a great sensation amongst the inhabitants of this place, and his Highness the Sultan, Said Majid, is about to dispatch his frigate "Artemis" to cruise off the Island of Monfia and the southern part of his dominions on the coast of Africa to prevent slaves being shipped from those places.

5. I understand that his Excellency the Governor-General of the Mozambique has taken very decided steps to put a stop to this traffic within the limits of the Portuguese settlements. A French ship recently captured has been condemned by the Portuguese courts at Mozambique, and the commander sentenced to ten years' imprisonment.

6. In addition to the traffic carried on by the French, I am informed that a vessel under Spanish colours shipped 500 slaves from the vicinity of Lamoo on the African coast to the north of Pemba, for conveyance to Cuba; and another large American ship, also under Spanish colours, shipped 1,200 slaves for conveyance to Cuba from the ports of the Mozambique.

Zanzibar,
15 August 1858.

I have, &c.
(signed) *C. P. Rigby*, Captain,
Honourable Company's Agent, Zanzibar.

(True copy.)
H. L. Anderson, Secretary to Government.

(No. 15 of 1858.—Secret Department.)

From Captain *C. P. Rigby*, Honourable Company's Agent, Zanzibar,
to *H. L. Anderson*, Esq., Secretary to Government, Bombay.

Sir,

Zanzibar, 20 August 1858.

I HAVE the honour to report the following circumstances for the information of the Right Honourable the Governor in Council.

On the evening of the 17th instant the schooner "L'Eglée," belonging to the French Imperial Navy, arrived in this harbour, and on the following morning the brig "Génie," also belonging to the French Imperial Navy, arrived here, and the commander immediately sent a message to his Highness the Sultan, Said Majid, requesting to have an audience at 10 o'clock the following morning. In the evening his Highness sent his private secretary to me to inform me of the French commander's request for an interview, and to state that this same vessel arrived here some months ago, when the commander urged his Highness to permit the export of negroes from his Highness' territories, to be conveyed to the island of La Réunion as engaged labourers, and that upon that occasion his Highness gave a decided refusal to this request, and his secretary informed me that his Highness feared that the present visit of the brig "Génie" was to
renew

renew this demand, and that he therefore wished for my advice as to the nature of the reply he should make to the commander of the "Génie," should his visit relate to this subject. I told the secretary that, as there are no free labourers here, and no class of persons who of their own free-will would engage themselves to embark for La Réunion or any other French colony, any compliance on the part of his Highness to the shipment of negroes, under any name or any pretence, would certainly lead to a slave trade on an extensive scale, such as it is notorious the French are actively engaged in along the east coast of Africa to the south of his Highness' territories, and that my advice therefore was that his Highness should inform the commander of the "Génie" that there are no free labourers here, and that his treaty engagements with the British Government forbid his sanctioning any direct or indirect sale of slaves within his dominions to Europeans of any nation.

2. His Highness' secretary then alluded to the suspicious conduct of several French vessels which have visited this port, and, pointing to a large French ship, now in the harbour, said that she had been lying here for a considerable time, and never held any communication with the shore, and no one knew the object of her visit, although it is known that she has a considerable number of negroes on board, said to have been purchased at the island of Johanna. I told him that I had been informed that this vessel was secretly embarking negroes at night; that after dark native boats get under weigh, as if to go across to the coast of Africa; and that, after standing some distance out to sea, they return and go alongside this French ship. He replied, that it very probably was so; for so long as purchasers are ready to pay a good price, some evil-disposed persons will find an opportunity of selling their slaves, in spite of all orders to the contrary.

3. The following morning his Highness' secretary again called on me, and said that the visit of the commander of the "Génie" was to urge upon his Highness the advantages which he would derive from complying with his demand to transport negroes to the island of La Réunion; and that he at the same time presented his Highness with a letter from his Excellency the Governor of La Réunion, urging compliance with this request. This letter the secretary brought for my perusal, together with a rough copy, in Arabic, of the answer his Highness proposed to send to the Governor of La Réunion. After perusing both these letters, I told the secretary that if his Highness did not object, I should like to take a copy of both letters, for the information of the Right Honourable the Governor in Council, and to-day the secretary brought me both the letters; and a copy of the letter from his Excellency the Governor of La Réunion, and a translation of the answer sent to it by his Highness, are herewith forwarded.

4. Immediately after his Highness' answer was delivered to the commander of the brig "Génie," the schooner "L'Eglée" left the harbour; and I am informed that she has gone to La Réunion, to convey his Highness' answer to the Governor's letter.

5. I transmit herewith for the information of Government, copies of a correspondence on this subject between Her Majesty's Consul at this port, the late Lieutenant-Colonel Hamerton, and Her Majesty's Secretary of State for Foreign Affairs, by which it appears that the French authorities at the island of La Réunion made a similar demand about three years ago, during the life of the late Imaum, Sayyid Said, and only desisted in their attempts to force a slave trade in his Highness' dominions upon the repeated remonstrances of the British Government. But the pertinacity with which their agents repeat their demands in spite of positive refusals to sanction such an export, and the appearance of so many ships of war, as if for the purpose of giving weight to these demands, alarms his Highness and the inhabitants of his territories as to their ultimate designs.

6. As I have not yet received any commission from the Foreign Office, I do not feel authorised to address Her Majesty's Secretary of State for Foreign Affairs on this subject, and therefore now submit the whole of the former correspondence on this subject for the consideration of his Lordship in Council.

7. I believe that his Highness the Sultan, Said Majid, is sincerely desirous of acting up to his engagements with the British Government to put a stop to the slave trade within his dominions. His immediately sending me the letter of the Governor of La Réunion was a mark that he wished to be guided by the advice of the British Government, and his Highness' frigate "Artemise" has also sailed for the south part of his dominions on the coast of Africa to prevent the shipment of negroes.

Zanzibar, 20 August 1858.

I have, &c.
(signed) C. P. Rigby, Captain,
Hon. Company's Agent, Zanzibar.

(Ile de la Réunion, Cabinet du Gouverneur.)

À Sa Hautesse le très puissant Sultan de Zanzibar.

Hautesse,

Saint Denis, le 29 Juin 1858.

SA Majesté l'Empereur des Français est un prince juste, et ne saurait rien demander qui ne soit suivant les lois de la morale et de l'équité; c'est dans ces sentiments que je vous adresse ces lignes.

Il vous demande d'autoriser les travailleurs engagés pour La Réunion à sortir librement de vos états.

Les terres de La Réunion sont riches et fécondes, mais la chaleur du soleil interdit aux hommes blancs d'y travailler. C'est pour cela que nous adressons aux hommes noir que Dieu a fait pour ces climats.

Le sol de La Réunion, comme tout sol Français, est un sol de liberté; tout travailleur qui le touche devient libre. Si on lui demande son travail, c'est à la condition de le nourrir, de le vêtir, de le loger, de le soigner s'il est malade, et enfin de le payer. Est-il permis de dire que l'homme que l'on met dans de pareilles conditions est esclave, et ceux que tiennent un pareil langage ne sont-ils pas calomnieurs de la pensée de notre grand Empereur, et ne tiennent-ils pas un langage mensonger?

Ce n'est que pour un temps très court et pour peu d'années que nous demandons le travail aux hommes qui nous viendront de vos états; ils seront autorisés ensuite à rentrer dans votre territoire; ils auront appris la culture du sucre; ils auront connu nos coutumes; ils vous apporteront donc une population de gens propres à travailler vos terres et à augmenter la source des richesses de vos états.

Ces conditions ne sont-elles pas justes? Ne sont-elles pas dignes des bienfaits que veut repandre sur tout le globe une grande nation? Ce n'est pas tout, Hautesse! Sa Majesté l'Empereur des Français comprend que si vous vous privez pour un certain temps d'un certain nombre de vos sujets, cette privation demande une compensation. C'est pour recevoir nos offres et nos conditions que je vous envoie le Commandant du brick le Génie que vous connaissez. Il est chargé de vous dire que vos bons procédés et votre bon vouloir pour la France seront payés par l'amitié et la protection de l'Empereur. Ces assurances vous avez déjà dû les recevoir de la part de notre Consul accrédité près de vous.

Quant aux conditions de détail (je ne les traite point dans cette lettre, qui n'a pour but que de vous faire connaître les bonnes et loyales intentions dont notre Gouvernement est animé), elles vous seront transmises par Monsieur le Commandant Méquet et par notre Consul. Sur le je prie votre Hautesse de recevoir l'expression des sentiments que font naître en moi l'idée de sa grandeur et de son pouvoir.

Votre très humble et très obéissant serviteur Le Gouverneur de l'Ile de La Réunion, Commandant la Station de Réunion et Madagascar, Commandeur de la Légion d'Honneur, Commandeur du très sublime Ordre du Medjidié, Compagnon de l'Ordre du Bain d'Angleterre, &c. &c. &c.

(signé) B^m Darrican.

(True copy.)

(signed) C. P. Rigby, Captain,
Honourable Company's Agent, Zanzibar.

Zanzibar, 21 August 1858.

(Translation.)

From Majid bin Said, Sultan of *Zanzibar* and *Sowahil*, to His Excellency the Governor of *Bourbon*, dated the 9th day of Mohurram, 1275 Hijra, corresponding to 19 August 1858.

To His Excellency Baron Darrican, Governor of Bourbon, and its Dependencies.

After salutation.

WE have received your exalted letter, and have understood the friendly expressions it contained, and Commander Méquet arrived here, and we have been much pleased at his safe journey; and we have understood that which he related to us verbally, and we have been honoured with the wishes which he expressed on behalf of the French Government relating to these countries. We will comply with every wish of the French Government except in what relates to slaves; for we cannot act in violation of the treaties which have for many years existed between us and the British Government; for any infringement of those treaties would be very hurtful to us, and we feel certain that the Emperor of the French does not wish us to depart from our written engagements; we do not forbid any free persons who wish to embark from going wheresoever they please; and we, if not please God, will make the French Emperor acquainted with this, and make us acquainted with everything else that you may require (*lit.* the sign is with you for anything you require here).

(signed) *Majid bin Said.*

(True translated purport.)

Zanzibar,
21 August 1858.

(signed) *C. P. Rigby*, Captain,
Honourable Company's Agent.

No. 4 of 1854.

(No. 4.—Slave Trade.)

To the Right Honourable the Earl of *Clarendon*, Her Majesty's Secretary of State for Foreign Affairs.

My Lord,

Zanzibar, 13 April 1854.

I HAVE the honour to submit for your Lordship's information, that a question of difficulty has arisen between the French Government and his Highness the Imaum of Muscat, relative to procuring slaves from the territories of the Imaum, to be carried to Bourbon and other French colonies; but which slaves, after they have been furnished by French dealers, are to be designated free labourers or "engagées," and to be procured in the following manner, viz.: the French dealer says to the slave broker or other proprietor of slaves, "I wish to engage this slave or these slaves; for how much will you consent to make him or them over to me as a freeman or freemen?" The price being agreed on, the slave is to be taken before the cazee or judge, when the proprietor says, "I make this man or these men free, therefore I want you to give a certificate of his or their freedom;" which being granted, the slave or slaves are made over to the French dealer to be taken away as a free labourer or labourers, to be sent to Bourbon or elsewhere, to labour for the space of five years, or whatever term the dealer stipulates for; at the end of which term he is to be a freeman to do as he pleases, and during the time of his servitude he is to be paid two dollars per month, and to receive rations.

His Highness the Imaum agrees to allow all free men to go to Bourbon on such terms, but his Highness says he cannot allow the French dealers to buy the slave just imported from Africa, and who has no idea of his position even on being made a free man, on being purchased from the slave broker or other proprietor, to be taken in this manner by the French dealers. Such is contrary to the Mahommedan law, and the Imaum considers such a way of procuring slaves under the name of free labourers to be at variance with the spirit of the treaty between his Highness and Great Britain of the 10th of September 1822, concluded by Captain Moresby, of Her Majesty's ship "*Menai*," for the prevention of the sale of slaves to European nations by the subjects of the Imaum of Muscat.

The French Admiral, L'Amiral la Guerre, Commandant-en-chef la Division Navale de la Réunion, et de l'Indo-Chine, came here in the frigate "Jeanne d'Arc," 44 guns, on the 4th of last December, and sailed on the 4th of January last; and during his stay here he had, along with the French Consul, Monsieur de Beligny, several interviews with the Imaum on this subject, and threatened the Imaum that if he would not consent to the French dealers obtaining labourers as they wished to do by paying the price of the slave to the broker or slave dealer, that the French Government would force him to comply; to which his Highness answered, that he was of course unable to resist the force of France, but that the Government with which he had a treaty for the prevention of the sale of slaves to Europeans would perhaps prevent France buying slaves in his territories. The admiral told the Imaum if they could not procure the labourers as they wished at Zanzibar, that French ships would go to the coast of Africa within his (the Imaum's) dominions to procure them, supported by French ships of war. The Imaum replied, "I have told you if you threaten to use force I cannot resist; but I do not consent."

A brig from Bourbon, the "Panther," arrived on the 21st of last December, and sailed on the 21st of January, with 170 (one hundred and seventy) labourers, all slaves bought and made free during her stay here; and there is a bark here at present, which arrived from Bourbon on the 27th ultimo. She requires 400 slaves to be made over to her as free men, after the manner of those taken by the "Panther," the brig from Bourbon, which sailed hence on the 21st of January last with the 170. The opinion of the people here is, that she will not obtain what she requires. The Arabs of Zanzibar are very averse to slaves being sold and taken away in this way by the French.

A Monsieur Bellman, an agent from Bourbon, who arrived here on the 27th ultimo, to procure labourers, told me they require 50,000 at present, and 10,000 every year to keep up the supply; and I have heard the French intend, if they find it difficult to procure the numbers of slaves they require, to make free labourers at Zanzibar, to establish agencies on the coast of Africa within the Imaum's territories for the purchase of the numbers required.

His Highness the Imaum has requested me to submit all these circumstances for your Lordship's consideration, and to request the favour of your advice and instructions as to how his Highness had best act, and to inform your Lordship that he considers himself and his dominions in every way at the disposal of Her Majesty's Government; and I beg respectfully to state that as it is desirable that your Lordship's reply to this letter may be received as soon as possible, if one copy was sent *viâ* the Cape of Good Hope to the Commodore with instructions to forward it to Zanzibar with dispatch, and another copy overland to the Government of Bombay, to be quickly forwarded, much serious evil to his Highness the Imaum may be prevented, for I see plainly the French are seeking a cause of quarrel with the Imaum; and they will seize upon some of the ports on the coast of Africa within his dominions, saying they have been forced to do so to protect French interests; and I most respectfully beg leave to assure your Lordship that something of this kind is most positively in contemplation by the French, and expected by the Imaum.

I have, &c.

(signed) *Atkins Hamerton*,
Major, H. M. Consul, and H. C. Agent in the
Territories of the Imaum of Muscat.

(True copy.)

Zanzibar,
20 August 1858.

(signed) *C. P. Rigby*, Captain,
Honourable Company's Agent, Zanzibar.

(Slave Trade.—No. 1.)

To Major *Atkins Hamerton*, &c. &c. &c.

Sir,

Foreign Office, 13 July 1854.

I HAVE received your despatch, Slave Trade, No. 4, of the 13th of April, by which it appears that a direct trade in slaves is being carried on by French agents between the territories of Muscat and the Island of La Réunion, and that this traffic is intended to be continued upon an extensive scale.

I have

I have also received a letter relative to this matter from the Imaum, dated the 18th of April, and I have to instruct you to inform his Highness in reply that Her Majesty's Government are in communication with the French Government thereupon, and they trust that instructions may be sent to the Governor of La Réunion, and to the Commander-in-chief of the French naval forces on the East Coast of Africa, directing them to put a stop to the purchase of slaves in the territories of the Imaum.

Her Majesty's Government can only regard this mode of obtaining labourers for the island of Réunion in the light of a traffic in slaves, which the Imaum is, by his treaty engagements with Great Britain; bound to suppress.

I am, &c.
(signed) *Clarendon.*

(True copy.)

(signed) *C. P. Rigby, Captain,*
Honourable Company's Agent, Zanzibar.

20 August 1858.

M. le Ministre,

Paris, 31 July 1855.

I HAVE been desired by the Earl of Clarendon to bring the enclosed papers under your Excellency's notice. You will perceive that they state that an indirect trade in slaves is carried on under the French flag from ports on the East Coast of Africa to Bourbon.

I had occasion to address to your Excellency's predecessor, both verbally and in writing, more than once upon this subject, and I have now to express the hopes of Her Majesty's Government that your Excellency will have the whole matter carefully inquired into; and, if the facts are found to be as represented, their confident expectation that stringent orders will be issued for putting an end to a state of things which the Government of the Emperor cannot fail to disapprove.

À S. E. M. le Comte Walewski,
&c. &c. &c.

I avail, &c.
(signed) *Cowley.*

(True copy.)

(signed) *C. P. Rigby, Captain,*
Honourable Company's Agent, Zanzibar.

M. l'Ambassadeur,

Paris, le 4 Octobre 1855.

J'AVAIS appelé l'attention de M. l'Amiral Hamelin sur les détails que votre Excellence m'a fait l'honneur de m'adresser au sujet d'opérations de traite indirecte de noirs, accomplies sous pavillon Français à la Côte Oueste de Madagascar. J'ai la satisfaction de vous annoncer que le Département de la Marine avait déjà, avant la réception de ma lettre, envoyé des instructions sévères aux Gouverneurs de nos colonies, et que ces instructions ont été elles-mêmes prévenues par les mesures qu'avait prises à cet égard M. le Gouverneur de La Réunion. Cette initiative de M. Hubert Delisle est un sûr garant de la fermeté avec laquelle il saura faire observer les instructions qui lui ont été données par M. le Ministre de la Marine, pour faire cesser toute opération qui aurait pour but la traite indirecte de nègres.

À S. E. Lord Cowley,
&c. &c. &c.

Agréez, &c.
(signé) *A. Walewski.*

(True copy.)

(signed) *C. P. Rigby, Captain,*
Hon. Company's Agent, Zanzibar.

Zanzibar,
20 August 1858.

CORRESPONDENCE ON THE SUBJECT OF

(Slave Trade.—No. 3.)

To the Earl of *Clarendon*, K. G., &c. &c. &c.

My Lord,

Paris, 8 October 1855.

I HAVE the honour to enclose herewith copies of the correspondence which has passed between myself and Count Walewski relative to the trade in slaves carried on under the French flag between the Island of Bourbon (Réunion) and the East Coast of Africa, and referred to in your Lordship's despatch (S. T., No. 5), of the 29th July.

Count Walewski's note is satisfactory, inasmuch as it admits that the complaints of Her Majesty's Government were well founded. It remains to be seen whether, in consequence of measures taken by the French Government, such complaints will be unnecessary for the future.

I have, &c.
(signed) *Cowley*.

(True copy.)

(signed) *C. P. Rigby*, Captain,
Hon. Company's Agent, Zanzibar.

20 August 1858.

(Slave Trade.—No. 1.)

To Major *Atkins Hamerton*, &c. &c. &c.

Sir,

Foreign Office, 17 October 1855.

WITH reference to my despatch to you (Slave Trade, No. 1, of the 13th of July 1854), I transmit herewith, for your information, copies of a despatch, and of its enclosures, which I have received from Her Majesty's Ambassador at Paris, by which you will learn that the Governor of the Island of Bourbon has been instructed by the French Government to put a stop to every undertaking having for its object the indirect trade in negroes.

You will communicate the substance of the enclosed despatch to the Imam of Muskat.

I have, &c.
(signed) *Clarendon*.

(True copy.)

(signed) *C. P. Rigby*, Captain,
Hon. Company's Agent, Zanzibar.

Zanzibar,
20 August 1858.

(True copies.)

(signed) *H. L. Anderson*,
Secretary to Government.

(No. 19 of 1858.—Secret Department.)

From Captain *C. P. Rigby*, Honourable Company's Agent, Zanzibar, to
H. L. Anderson, Esq., Secretary to Government, Bombay.

Sir,

Zanzibar, 24 August 1858.

As there has been no British consul or agent in the dominions of his Highness the Sultan of Zanzibar since the death of the late Lieutenant-colonel Hamerton on the 5th of July 1857, I beg to report as follows, for the information of the Right Honourable the Governor in Council, regarding the present state of affairs, and the political results which have ensued consequent upon

upon the death of his late Highness the Imaum Sayyid Said, when his dominions were divided between his two sons, the present Sultans of Oman and Zanzibar.

2. On my arrival here on the 27th ultimo, I called on his Highness the Sultan Said Majid, in company with Commander Worsley, commanding the H. C. Corvette "Falkland:" his Highness was residing on board his flag ship the "Shah Alum"; he repeatedly expressed to me the great satisfaction he felt at again having a British resident here, and desired me to write to Government to this effect. Both Commander Worsley and myself were much struck with the expression of anxiety and suffering in his Highness's countenance, and I have since been informed that the intrigues of his next brother Syud Burghash have for some time caused him considerable uneasiness, and that he has latterly been low spirited, and frequently expressed the greatest anxiety for the arrival of an English consul, sending privately to the merchants, on the arrival of any vessel from India or Aden, to ascertain if one was coming, and pointing to the bare flag staff at the English Consulate: he would remark to those near him, "Ah! when shall I again see a flag hoisted there?" Some months ago, when out riding, his Highness was accidentally wounded by one of his attendants discharging his matchlock close to his side; the wadding entered his foot, and has caused him a considerable degree of suffering, and brought on fever.

3. Three or four days after the arrival of the "Falkland," his Highness left his flag ship and returned to his palace on shore; and at a Durbar the following day, when he received the officers of the "Falkland," we were immediately struck with the marked improvement in his Highness's appearance; so pleased and free from anxiety did he appear, that we could scarce recognise him as the same individual. I took the opportunity on this occasion to present to his Highness a letter from Her Majesty, and also one from the Earl of Clarendon, which had arrived some time previous, *via* Aden. The receipt of these letters, the first which he had received from Her Majesty's Government since his accession, caused him great satisfaction, and, added to the arrival of a ship of war from the Indian Government, have caused a feeling of stability and security amongst the inhabitants generally.

4. I have not seen Syud Burghash since my arrival. He has not called or sent me any message of welcome, as the other brothers of his Highness have done. He never attends the Durbar of his Highness, and is spoken of as a morose, discontented man, inimical to Europeans. He has no party in his favour here, but is said to be at the head of a party in Muskat, who hope to dispossess his brother Said Majid, with the aid of the Sooree Arabs, who visit this place in considerable numbers during the north-west monsoon.

5. I am happy to state that all classes here, the European and American merchants, the Indian traders and the Arabs, all bear testimony to the kind and amiable disposition of the present Sultan, his justice and liberal policy; they all consider him a worthy successor to his father. Although he succeeded to the Government so young, he has conciliated all classes, and at present all his dominions enjoy peace and prosperity; and as this port is rapidly becoming the chief emporium of the trade of the east coast of Africa, it is satisfactory that the Government has devolved on so promising a prince.

I have, &c.

(signed) C. P. Rigby, Captain,
Honourable Company's Agent, Zanzibar.

Zanzibar,
24 August 1858.

(True copies.)

(signed) H. L. Anderson, Secretary to Government.

(No. 21 of 1858.—Secret Department.)

From Captain *C. P. Rigby*, Honourable Company's Agent, Zanzibar,
to *H. L. Anderson*, Esq., Secretary to Government, Bombay.

Sir,

Zanzibar, 13 September 1858.

IN connexion with the slave trade, which is being actively carried on by French vessels along the east coast of Africa, as reported by me in my letter to your address, No. 10 of 1858, dated 15th ultimo, I have the honour to report the following circumstances for the information of the Right Honourable the Governor in Council.

2. About three weeks ago the commander and several of the crew of the French merchant ship "*Anna*" arrived here in a native boat from the Comoro isles, and reported that they had left the island of Comoro with 400 engaged negroes on board the "*Anna*;" and that about 18 hours afterwards the negroes armed themselves with billets of firewood and attacked the crew, some of whom were very severely beaten, but no lives were taken. The crew were permitted to lower the boats and escape in them. They state that shortly afterwards a heavy squall came on, and they lost sight of the vessel. The boats succeeded in reaching the Comoro isles, when some of them came here to report the circumstances.

3. Information has since been received by his Highness the Sultan Said Majid that the vessel was run aground near the River Lindy, situated in about 10 degrees south latitude, and the slaves on board all made their escape into the country. The governor, on the part of his Highness at Lindy, has taken charge of the vessel, and persons have been sent from here to navigate it to this port for delivery to the former commander.

4. So great a demand for slaves has been created by the French all along the coast to the south of the island of Zanzibar, that the price of them has lately almost doubled; and from conversations with Arabs here, I have ascertained that slaves are now taken long distances by land from the opposite main land of Africa to the ports situated to the south of the island of Monfea, in order to supply the French demand; also, that very few able-bodied slaves of either sex are now brought to Zanzibar for sale, as they are all taken south to supply this new market.

5. From information I have received here on this subject, I beg respectfully to express my conviction that unless a speedy stop be put to this new demand for slaves for exportation to the French colonies, it will completely ruin all legitimate trade on the east coast of Africa; the tribes will find slave-hunting so profitable, that all other trade will be neglected. I have no doubt that already the news has travelled far over the interior that the white man is now the best customer to the slave dealer; that he pays a good price in ready money, and that, in consequence, many tribes which have hitherto brought ivory, guns, hides, &c., to the coast for sale, are now engaged in hunting and kidnapping their neighbours to sell to French ships, or to their native agents.

I have, &c.

(signed) *C. P. Rigby*, Captain,
Honourable Company's Agent, Zanzibar.

Zanzibar, 13 September 1858.

(True copies.)

(signed) *H. L. Anderson*,
Secretary to Government.

(No. 25 of 1858.—Secret Department.)

From Captain *C. P. Rigby*, Honourable Company's Agent, Zanzibar, to
H. L. Anderson, Esq., Secretary to Government, Bombay.

Sir,

Zanzibar, 21 September 1858.

I HAVE the honour to forward, for the information of the Right Honourable the Governor in Council, the accompanying translation of an Arabic letter, addressed by one of the principal merchants of the island of La Réunion to his Highness the Sultan Said Majid, in the month of April last year, as it affords a further proof of the undisguised slave trade the French inhabitants of that island are pursuing on the east coast of Africa.

2. The writer of the letter (Monsieur Runtoné or Rantonay) was for some time agent for his late Highness the Imam of Muscat, at the island of La Réunion.

3. A few days ago, whilst conversing with his Highness the Sultan Said Majid, regarding this slave trade, he alluded to the letters he had received on the subject from La Réunion, and sent me this letter as an example of what the French wished him to comply with.

Zanzibar,
 21 September 1858.

I have, &c.
 (signed) *C. P. Rigby*, Captain,
 Honourable Company's Agent, Zanzibar.

(Translation.)

To his Highness Said Majid, Sultan of Zanzibar. After compliments.

I WAS much grieved to hear of the death of your Highness' father, the Imam of Muscat, which took place on the passage from Muscat to Zanzibar, after having arranged the affairs of Muscat and its neighbourhood, and giving tranquillity to those countries. I was anxiously awaiting his arrival in Zanzibar, for I was desirous of writing to him on various subjects. I wished to advise him to be supreme in his own territories, and give permission for the shipment of slaves, so that they might labour for wages in any country, and that if the English Consul should oppose this, that his Highness should insist. And after the death of his Highness I was unable to write this; and now if I were certain that permission is granted, I should wish that you would send me some slaves, young and strong, to labour in our colonies; and if this can be arranged, send the answer in the ship which conveys this letter to you, viz., the ship named * , and inform me whether I shall send my ship to your country to convey slaves or not. I will sell them, or they shall remain with me; and I have a ship named the "Paikur," a fast sailer, which can always perform the passage quickly between this and your Highness' country, and we shall make a profit, as it will perform voyages with speed; and this profit shall be divided equally between me and your Highness; the profit and the loss we will share equally; this is what I desired for your Highness' father; and the price of the slaves which you send me we will divide equally, after reckoning for the expenses of shipping, passage, &c.; the profit shall be equally divided between us; and let the slaves which you send be young, strong, and let it be a stipulation that for every 90 male slaves, there shall be 10 female slaves, small, of ages from 14 to 16 years. And I am confident that all slaves which your Highness conveys to me in your name, the Governor of Bourbon will permit to land, and will be pleased at it, for the Governor wrote to your Highness' father, and made him acquainted (with his wishes), and I did so also.

* Illegible in the Arabic letter.

And do not pay attention to the words of the English consul in all what he says to you; do all that you see is good for your country and condition; for the English consul is dwelling in your country solely for his own affairs; he has by no means anything to do with your affairs; for the English would wish to manufacture sugar in their colonies, in Europe and in India, and sell it to foreign countries, and would desire that other countries should not manufacture any sugar. And the French Government has given permission to all the Governors of their colonies to purchase slaves and to set them free; for the

Government of France desires the happiness of all mankind, so that people should convey slaves to Bourbon to be taught labour, in order that they may become wise and clever.

And you will receive an account for 1,025 Spanish dollars and 83 centimes for the expenses of the ship named "The Sooliman." I received charge of the ship from Monsieur Bella and Monsieur Desbussé; they have caused a great loss with this ship; and as Mahommed bin Hamees had no money, I paid all the expenses, and have provided the ship with all necessaries requisite until she reaches you; and I wish you to give me a bill of exchange for the above, at the rate of 11 German crowns for 10 Spanish dollars, and send it to me by the captain of this ship; and I wish the same friendship to continue between your Highness and myself as existed between your Highness' father and myself. And I wish to send my ships to your Highness' ports, and that your Highness should load them with sesamum seeds, which I will convey to Marseilles, for I have a house of business in Marseilles, and I wish that we should share the profits; and I tell you this to induce your Highness not to send your ships to other ports or countries as your father used to do. Pray write to me, in order that I may know you entertain for me the same friendly sentiments your father did.

Written from Monsieur Runtoné, dated the 8th of Shahban, 1273 Hijra, corresponding to 4th April 1857, A. D.

(True translation.)

(signed) *C. P. Rigby*, Captain,
Honourable Company's Agent, Zanzibar.

Zanzibar, 21 September 1858.

(True copies.)

(signed) *H. L. Anderson*,
Secretary to Government.

SLAVE TRADE (ZANZIBAR).

COPIES or EXTRACTS of the LETTERS of the Government of *Bombay* to Her Majesty's Secretary of State for *India*, or the Court of Directors, forwarding Letters written in August and September 1858, by Captain *Ridley*, the Company's Agent at *Zanzibar*, on the subject of the SLAVE TRADE at *Zanzibar* and along the *Mozambique Coast*.

(*Mr. Kimward.*)

Ordered, by The House of Commons, to be Printed,
7 March 1859.

111.

Under 3 oz.

Correspondence respecting the French Emigration Scheme.

No. 1.

The Earl of Clarendon to Consul Hutchinson.

Sir,

Foreign Office, August 28, 1857.

I HAVE received your despatch of the 28th of May last, reporting the arrival at Fernando Po of the French transport "Phoenix," bearing a French pennant, and commanded by Captain Chevalier, having on board, as voluntary emigrants, 300 Kroomen, some of whom had been engaged at Sierra Leone, and others on the Kroo coast. I have to state to you that there can be little doubt but that the Africans who were engaged by the French agents on the Kroo coast were induced to embark on board the "Phoenix" without being aware that it was intended to transport them to the West Indian Colonies; and with regard to those who were embarked at Sierra Leone, I have to acquaint you that the Governor of that Colony has been instructed for the future not to encourage the emigration of Africans from Sierra Leone to foreign Colonies, and he has also been directed, in the event of French agents persisting in their attempts to encourage Africans to emigrate from Sierra Leone, to warn the inhabitants not to be led by M. Chevalier to engage to go on board vessels in which they will be confined and treated like slaves, and exposed to the greatest hardships.

I have further to state to you that if you should learn that French agents are still engaged in procuring African emigrants under circumstances similar to those under which the "Phoenix" obtained her cargo, you will take such steps as you may think advisable to warn the natives not to be deceived.

I am, &c.

(Signed) CLARENDON.

No. 2.

The Earl of Clarendon to Mr. Howard.

Sir,

Foreign Office, July 13, 1857.

I TRANSMIT to you the accompanying extracts of a despatch which I have received from Her Majesty's Commissioners at the Cape of Good Hope, containing their Report upon the Slave Trade on the East Coast of Africa during the year 1856.

You will perceive from these extracts that the exportation of negroes, under the denomination of colonists and free labourers, from the Portuguese Possessions on the East Coast of Africa, has been carried on to a great extent during the past year, notwithstanding the instructions forbidding this Traffic, which have, from time to time, been transmitted by the Portuguese Government to the authorities in Mozambique; and I have to instruct you to communicate the substance of these extracts to the Marquis de Loulé, and to express to his Excellency the hope of Her Majesty's Government that the Portuguese authorities on the East Coast of Africa will receive such instructions from their Government as will insure their effectually carrying out the determination which has already been expressed by the Government of His Most Faithful Majesty, not to allow the exportation of negroes from Mozambique to the French Settlements in that part of the world.

I am, &c.

(Signed) CLARENDON.

No. 3.

Mr. Paget to the Earl of Clarendon.—(Received August 3.)

My Lord,

Lisbon, July 25, 1857.

I HAVE the honour to inclose to your Lordship a copy of a note which I have addressed to the Marquis de Loulé in execution of the instructions contained in your
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despatch of the 13th instant to Mr. Howard, relative to the exportation of negroes as free labourers or colonists to the French Possessions about Madagascar.

I saw Viscount Sá da Bandeira yesterday on this subject, and as he had not yet received communication of my note from the Marquis de Loulé, I related to him the substance of it. His answer was, that the Portuguese Government had received information of a similar purport to that contained in the Report of Her Majesty's Commissioners at the Cape of Good Hope, viz., that the instructions sent from Lisbon for putting an end to this trade in negroes had been very negligently carried out by the authorities on the spot; that in consequence of this a new Governor-General of Mozambique had been appointed, who had taken his departure in March or April, and that he had been furnished with such stringent and positive orders not to allow the trade in question, that he thought it now impossible that the views and wishes of the Home Government should not be properly executed.

Viscount Sá da Bandeira said that as soon as, in due course, my note to the Marquis de Loulé should reach him, he should reply to it in the above sense.

I have, &c.
(Signed) A. PAGET.

Inclosure in No. 3.

Mr. Paget to the Marquis de Loulé.

M. le Ministre,

Lisbon, July 22, 1857.

WITH reference to the communications which have already taken place, between Her Majesty's Legation at Lisbon and the Government of His Most Faithful Majesty, relative to the exportation of negroes to French settlements, I have the honour to inform your Excellency, in compliance with instructions from the Earl of Clarendon, that Her Majesty's Commissioners at the Cape of Good Hope report, on the 14th of April, 1857, that the exportation of negroes under the denomination of colonists and free labourers, to the French Settlements about Madagascar, has been carried on to a very great extent, by permission of the Governor-General of Mozambique, and of the Governors of Ibo and Quillimane, and that none of these officers appear to have received, officially, the Portaria issued by the Government of His Most Faithful Majesty on the 30th of July, 1856, by which the Governor-General was again directed to put an end to the practice, which had already been disapproved by the Portaria of February 27, 1855, and to declare all contracts entered into for the purpose, null and void. Her Majesty's Commissioners hope that this important document will, ere this, have been received and acted upon by the Portuguese authorities; for the exportation of those so-called free labourers is not only detrimental to the agriculture and legal commerce of the places from which it is carried on, by diminishing the amount of labour available for developing the resources of the country, but it tends also to continue the evils attendant upon the Slave Trade; the individuals exported being of the same class as those provided for the cargoes of slave-vessels; while, unless the authorities are belied, these transactions are a source of emolument to the officers of Government, by whose authority they are effected.

Her Majesty's Commissioners add, that the Portuguese authorities on the coast seem utterly powerless to carry out the measures ordered by the Government at Lisbon for the suppression of the Slave Trade, and therein for the advancement of legal commerce and civilization: the Decrees of 1853, for opening the ports in the Mozambique; of 1854, for the registration and prospective emancipation of slaves in the Portuguese possessions; and of 1855, against the exportation of free labours, remain alike unexecuted.

It thus appears, that notwithstanding the instructions forbidding this traffic, which have from time to time been transmitted by the Portuguese Government to the authorities in Mozambique, the objectionable proceedings still continue; and I am therefore directed by the Earl of Clarendon, in making these facts known to your Excellency, to express the hope of Her Majesty's Government that the Portuguese authorities on the East Coast of Africa will receive such orders from their Government as will ensure their effectually carrying out the determination which has already been expressed by the Government of His Most Faithful Majesty, not to allow the exportation of negroes from Mozambique to the French settlements in that part of the world.

I avail, &c.
(Signed) A. PAGET.

The Earl of Clarendon to Mr. Paget.

Sir,

Foreign Office, November 7, 1857.

I HAVE received your despatch of the 28th ultimo, inclosing a copy of a note from the Portuguese Minister for Foreign Affairs, informing you of the steps which have been taken by the Government of His Most Faithful Majesty, with the view to prevent the exportation of negroes from the Portuguese Possessions on the East Coast of Africa, whether under the denomination of free labourers, or in any other character; and I have, in reply, to instruct you to express to the Marquis de Loulé the great satisfaction with which Her Majesty's Government have learnt the humane and vigorous measures taken by the Portuguese Government in this matter.

I am, &c.

(Signed) CLARENDON.

Correspondence respecting the French
Emigration Scheme.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. 1859.*

LONDON :

PRINTED BY HARRISON AND SONS.

TREATIES

(POLITICAL AND TERRITORIAL)

BETWEEN

AUSTRIA AND ITALIAN STATES.

1815 TO 1848.

Presented to the House of Lords by Command of Her Majesty.
1859.

LONDON:
PRINTED BY HARRISON AND SONS

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TREATIES (Political and Territorial) between Austria and Italian States.

1815 to 1848.

No. 1.

Extract from the Treaty of Vienna, dated June 9, 1815.

ARTICLE XCIII.

PAR suite des renonciations stipulées dans le Traité de Paris du 30 Mai, 1814, les Puissances signataires du présent Traité reconnaissent Sa Majesté l'Empereur d'Autriche, ses héritiers et successeurs, comme Souverain légitime des Provinces et territoires qui avaient été cédés, soit en tout, soit en partie, par les Traités de Campo Formio de 1797, de Lunéville de 1801, de Presbourg de 1805, par la Convention Additionnelle de Fontainebleau de 1807, et par le Traité de Vienne de 1809, et dans la possession desquelles Provinces et territoires Sa Majesté Impériale et Royale Apostolique est rentrée par suite de la dernière guerre; tels que l'Istrie, tant Autrichienne que ci-devant Vénitienne, la Dalmatie, les Iles ci-devant Vénitiennes de l'Adriatique, les Bouches du Cattaro, la Ville de Venise, les Lagunes, de même que les autres Provinces et Districts de la terre ferme des Etats ci-devant Vénitiennes sur la rive gauche de l'Adige, les Duchés de Milan et de Mantoue, les Principautés de Brixen et de Trente, le Comté de Tyrol, le Voralberg, le Frioul Autrichien, le Frioul ci-devant Vénitien, le territoire de Montefalcone, le Gouvernement et la ville de Trieste, la Carniole, la Haute Carinthie, la Croatie à la droite de la Save, Fiume, et le Littoral Hongrois, et le district de Castua.

ARTICLE XCIV.

Sa Majesté Impériale et Royale Apostolique réunira à Sa Monarchie, pour être possédés par elle et ses successeurs en toute propriété et souveraineté :

1. Outre les parties de la terre ferme des Etats Vénitiens, dont il a été fait mention dans l'Article précédent, les autres parties des dits Etats, ainsi que tout autre territoire qui se trouve situé entre le Tessin, le Pô, et la Mer Adriatique.

2. Les vallées de la Valteline, de Bormio, et de Chiavenna.

3. Les territoires ayant formé la ci-devant République de Raguse.

ARTICLE XCV.

En conséquence des stipulations arrêtées dans les Articles précédents, les frontières des Etats de Sa Majesté Impériale et Royale Apostolique en Italie seront :

1. Du côté des Etats de Sa Majesté le Roi de Sardaigne, telles qu'elles étaient au 1 Janvier, 1792.

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B 2

2. Du côté des Etats de Parme, Plaisance, et Guastalla, le cours du Pô, la ligne de démarcation suivant le thalweg de ce fleuve.

3. Du côté des Etats de Modène, les mêmes qu'elles étaient au 1 Janvier, 1792.

4. Du côté des Etats du Pape, le cours du Pô jusqu'à l'embouchure du Goro.

5. Du côté de la Suisse, l'ancienne frontière de la Lombardie, et celle qui sépare les vallées de la Valteline, de Bormio, et Chiavenna, des Cantons des Grisons et du Tessin. Là où le thalweg du Pô constituera la limite, il est statué que les changements que subira par la suite le cours de ce fleuve, n'auront à l'avenir aucun effet sur la propriété des îles qui s'y trouvent.

ARTICLE XCVI.

Les principes généraux adoptés par le Congrès de Vienne pour la navigation des fleuves seront appliqués à celle du Pô.

Des Commissaires seront nommés par les Etats Riverains au plus tard dans le délai de trois mois après la fin du Congrès, pour régler tout ce qui a rapport à l'exécution du présent Article.

ARTICLE XCVII.

Comme il est indispensable de conserver à l'établissement connu sous le nom de Mont Napoléon à Milan, les moyens de remplir ses engagements envers ses créanciers, il est convenu que les biens fonds et autres immeubles de cet établissement situés dans des pays qui, ayant fait partie du ci-devant Royaume d'Italie, ont passé depuis sous la domination de différents Princes d'Italie, de même que les capitaux appartenants au dit établissement, et placés dans ces différents pays, resteront affectés à la même destination.

Les redevances du Mont Napoléon non fondées et non liquidées, telles que celles dérivant de l'arriéré de ses charges, ou de tout autre accroissement du passif de cet établissement, seront réparties sur les territoires dont se composait le ci-devant Royaume d'Italie ; et cette répartition sera assise sur les bases réunies de la population et du revenu. Les Souverains des dits pays nommeront, dans le terme de trois mois, à dater de la fin du Congrès, des Commissaires pour s'entendre avec les Commissaires Autrichiens sur ce qui a rapport à cet objet.

Cette Commission se réunira à Milan.

ARTICLE XCVIII.

Son Altesse Royale l'Archiduc François d'Este, ses héritiers et successeurs, posséderont en toute propriété et souveraineté, les Duchés de Modène, de Reggio, et de Mirandole, dans la même étendue qu'ils étaient à l'époque du Traité de Campo Formio.

Son Altesse Royale l'Archiduchesse Marie-Béatrix d'Este, ses héritiers et successeurs, posséderont, en toute souveraineté et propriété, le Duché de Massa, et la Principauté de Carrara, ainsi que les fiefs Impériaux dans la Lunigiana. Ces derniers pourront servir à des échanges ou autres arrangements de gré-à-gré avec Son Altesse Impériale le Grand Duc de Toscane, selon la convenance réciproque.

Les droits de succession et reversion établis dans les branches des Archiducs d'Autriche, relativement aux Duchés de Modène, de Reggio, et Mirandole, ainsi que des Principautés de Massa et Carrara, sont conservés.

ARTICLE XCIX.

Sa Majesté l'Impératrice Marie-Louise possédera, en toute propriété et souveraineté, les Duchés de Parme, de Plaisance, et de Guastalla, à l'exception des districts enclavés dans les Etats de Sa Majesté Impériale et Royale Apostolique sur la rive gauche du Pô.

La reversibilité de ces pays sera déterminée, de commun accord, entre les Cours d'Autriche, de Russie, de France, d'Espagne, d'Angleterre, et de Prusse, toutefois ayant égard aux droits de réversion de la Maison d'Autriche et de Sa Majesté le Roi de Sardaigne sur les dits pays.

ARTICLE C.

Son Altesse Impériale l'Archiduc Ferdinand d'Autriche est rétabli, tant pour lui que pour ses héritiers et successeurs, dans tous les droits de souveraineté et

propriété sur le Grand Duché de Toscane et ses dépendances, ainsi que son Altesse Impériale les a possédés antérieurement au Traité de Lunéville.

Les stipulations de l'Article II du Traité de Vienne du 3 Octobre, 1735, entre l'Empereur Charles VI et le Roi de France, auxquelles accédèrent les autres Puissances, sont pleinement rétablies en faveur de Son Altesse Impériale et ses descendants, ainsi que les garanties résultant de ces stipulations.

Il sera, en outre, réuni au dit Grand Duché, pour être possédé en toute propriété et souveraineté, par Son Altesse Impériale et Royale le Grand Duc Ferdinand, et ses héritiers et descendants :

1. L'Etat des Présides ;
2. La partie de l'Île d'Elbe et de ses appartenances qui était sous la suzeraineté de Sa Majesté le Roi des Deux Siciles, avant l'année 1801 ;
3. La suzeraineté et souveraineté de la Principauté de Piombino et ses dépendances ;

Le Prince Ludovisi Buoncompagni conservera, pour lui et ses successeurs légitimes, toutes les propriétés que sa famille possédait dans la Principauté de Piombino, dans l'Île d'Elbe et ses dépendances, avant l'occupation de ces pays par les troupes Françaises en 1799, y compris les mines, usines et salines. Le Prince Ludovisi conservera également le droit de pêche, et jouira d'une exemption de droits parfaite, tant pour l'exportation des produits de ses mines, usines, salines, et domaines, que pour l'importation des bois et autres objets nécessaires pour l'exploitation des mines. Il sera, de plus, indemnisé par Son Altesse Impériale le Grand Duc de Toscane, de tous les revenus que sa famille tirait des droits régaliens avant l'année 1801. En cas qu'il survint des difficultés dans l'évaluation de cette indemnité, les parties intéressées s'en rapporteront à la décision des Cours de Vienne et de Sardaigne.

4. Les ci-devant fiefs Impériaux de Vernio, Montanto, et Monte Santa Maria, enclavés dans les Etats Toscans.

ARTICLE CI.

La Principauté de Lucques sera possédée en toute souveraineté par Sa Majesté l'Infante Marie-Louise et ses descendants, en ligne directe et masculine. Cette Principauté est érigée en Duché, et conservera une forme de gouvernement basée sur les principes de celle qu'elle avait reçue en 1805.

Il sera ajouté aux revenus de la Principauté de Lucques une rente de cinq cent mille francs, que Sa Majesté l'Empereur d'Autriche et Son Altesse Impériale s'engagent à payer régulièrement, aussi longtemps que les circonstances ne permettront pas de procurer à Sa Majesté l'Infante Marie-Louise et à son fils et ses descendants, un autre établissement. Cette rente sera spécialement hypothéquée sur les Seigneuries en Bohême, connues sous le nom de Bavaropalatines, qui, dans le cas de réversion du Duché de Lucques au Grand Duc de Toscane, seront affranchies de cette charge, et rentreront dans le domaine particulier de Sa Majesté Impériale et Royale Apostolique.

ARTICLE CII.

Le Duché de Lucques sera réversible au Grand Duc de Toscane, soit dans le cas qu'il devint vacant par la mort de Sa Majesté l'Infante Marie-Louise ou de son fils Don Carlos, et de leurs descendants mâles et directs, soit dans celui que l'Infante Marie-Louise, ou ses héritiers directs, obtinssent un autre établissement, ou succédassent à une autre branche de leur dynastie.

Toutefois le cas de réversion échéant, le Grand Duc de Toscane s'engage à céder, dès qu'il entrera en possession de la Principauté de Lucques, au Duc de Modène, les territoires suivants :—

1. Les districts Toscans de Fivizzano, Pietra Santa, et Barga ;
2. Les districts Lucquois de Castiglione et Galliciano, enclavés dans les Etats de Modène, ainsi que ceux de Minucciano et Monte Ignose, contigus au pays de Massa.

ARTICLE CIII.

Les Marches, avec Camerino et leurs dépendances, ainsi que le Duché de Bénévent et la Principauté de Ponte Corvo, sont rendus au Saint Siège.

Le Saint Siège rentrera en possession des Légations de Ravenne, de Bologne, et Ferrare, à l'exception de la partie du Ferrarois située sur la rive gauche du Pô.

Sa Majesté Impériale et Royale Apostolique, et ses successeurs, auront droit de garnison dans les places de Ferrare et Commachio.

Les habitants des pays qui rentrent sous la domination du Saint Siège, par suite des stipulations du Congrès, jouiront des effets de l'Article XVI du Traité de Paris du 30 Mai, 1814. Toutes les acquisitions faites par les particuliers, en vertu d'un titre reconnu légal par les lois actuellement existantes, sont maintenues, et les dispositions propres à garantir la dette publique, et le paiement des pensions, seront fixées par une Convention particulière entre la Cour de Rome et celle de Vienne.

(Translation.)

ARTICLE XCIII.

In pursuance of the renunciations agreed upon by the Treaty of Paris of the 30th May, 1814, the Powers who sign the present Treaty recognise His Majesty the Emperor of Austria, his heirs and successors, as legitimate Sovereign of the provinces and territories which had been ceded, either wholly or in part, by the Treaties of Campo Formio of 1797, of Luneville of 1801, of Presburg of 1805, by the Additional Convention of Fontainebleau of 1807, and by the Treaty of Vienna of 1809; the possession of which provinces and territories His Imperial and Royal Apostolic Majesty obtained in consequence of the last war, such as Istria, Austrian as well as heretofore Venetian, Dalmatia, the ancient Venetian Isles of the Adriatic, the mouths of the Cattaro, the city of Venice, with its waters, as well as all the other provinces and districts of the formerly-Venetian States of the *terra firma* upon the left bank of the Adige, the Duchies of Milan and Mantua, the Principalities of Brixen and Trente, the County of Tyrol, the Voralberg, the Austrian Frioul, the ancient Venetian Frioul, the territory of Montefalcone, the government and town of Trieste, Carniola, Upper Carinthia, Croatia on the right of the Save, Fiume, and the Hungarian Littorale, and the district of Castua.

ARTICLE XCIV.

His Imperial and Royal Apostolic Majesty shall unite to his monarchy, to be possessed by him and his successors, in full property and sovereignty :

1. Besides the portions of the *terra firma* in the Venetian States mentioned in the preceding Article, the other parts of those States, as well as all other territory situated between the Tessin, the Po, and the Adriatic Sea.
2. The valleys of the Valteline, of Bormio, and of Chiavenna.
3. The territories which formerly composed the Republic of Ragusa.

ARTICLE XCV.

In consequence of the stipulations agreed upon in the preceding Articles, the frontiers of the States of His Imperial and Royal Apostolic Majesty, in Italy, shall be :—

1. On the side of the States of His Majesty the King of Sardinia, such as they were on the 1st of January, 1792.
2. On the side of the States of Parma, Placentia, and Guastalla, the course of the Po, the line of demarcation following the *thalweg* of the river.
3. On the side of the States of Modena, such as they were on the 1st of January, 1792.
4. On the side of the Papal States, the course of the Po as far as the mouth of the Goro.
5. On the side of Switzerland, the ancient frontier of Lombardy, and that which separates the valleys of the Valteline, of Bormio, and Chiavenna, from the cantons of the Grisons, and the Ticino.

In those places where the *thalweg* of the Po forms the frontier, it is agreed that the changes which the course of the river may undergo shall not, in future, in any way affect the property of the islands therein contained.

ARTICLE XCVI.

The general principles adopted by the Congress at Vienna, for the navigation of rivers, shall be applicable to that of the Po.

Commissioners shall be named, by the States bordering on rivers, within three

months, at latest, after the termination of the Congress, to regulate all that concerns the execution of the present Article.

ARTICLE XCVII.

As it is indispensable to preserve to the establishment known by the name of the Mont Napoleon, at Milan, the means of fulfilling its engagements towards its creditors, it is agreed, that the landed and other immoveable property of this establishment in countries which formed part of the ancient Kingdom of Italy, and have since passed under the Government of different Princes of Italy, as well as the capital belonging to the said establishment placed out at interest in these different countries, shall be appropriated to the same object.

The unfunded and unliquidated debts of the Mont Napoleon, such as those arising from the arrears of its charges, or from any other increase of the outgoings of this establishment, shall be divided between the territories which composed the late Kingdom of Italy; and this division shall be regulated according to the joint bases of their population and revenue.

The Sovereigns of the said countries shall appoint Commissioners, within the space of three months dating from the termination of the Congress, to arrange with Austrian Commissioners whatever relates to this object. This Commission shall assemble at Milan.

ARTICLE XCVIII.

His Royal Highness the Archduke Francis d'Este, his heirs and successors, shall possess, in full sovereignty, the Duchies of Modena, Reggio, and Mirandola, such as they existed at the signature of the Treaty of Campo Formio.

The Archduchess Maria Beatrice d'Este, her heirs and successors, shall possess, in full sovereignty and property, the Duchy of Massa, and the Principality of Carrara, as well as the Imperial fiefs in La Lunigiana.

The latter may be applied to the purpose of exchanges, or other arrangements made by common consent, and according to mutual convenience, with His Imperial Highness the Grand Duke of Tuscany.

The rights of succession and reversion, established in the branches of the Archducal Houses of Austria, relative to the Duchies of Modena, Reggio, and Mirandola, and the Principalities of Massa and Carrara, are preserved.

ARTICLE XCIX.

Her Majesty the Empress Maria Louisa shall possess, in full property and sovereignty, the Duchies of Parma, Placentia, and Guastalla, with the exception of the districts lying within the States of His Imperial and Royal Apostolic Majesty on the left bank of the Po.

The reversion of these countries shall be regulated by common consent, with the Courts of Austria, Russia, France, Spain, England, and Prussia; due regard being had to the rights of reversion of the House of Austria, and of His Majesty the King of Sardinia, to the said countries.

ARTICLE C.

His Imperial Highness the Archduke Ferdinand of Austria is re-established, himself, his heirs and successors, in all the rights of sovereignty and property, in the Grand Duchy of Tuscany and its dependencies, which he possessed previous to the Treaty of Luneville.

The stipulations of Article II of the Treaty of Vienna, of the 3rd of October, 1735, between the Emperor Charles VI and the King of France, to which the other Powers acceded, are fully renewed in favour of His Imperial Highness and his descendants, as well as the guarantees resulting from those stipulations.

There shall be likewise united to the said Grand Duchy, to be possessed in full property and sovereignty by the Grand Duke Ferdinand, his heirs and descendants:

1. The State of the Presidii.

2. That part of the Island of Elba, and its appurtenances, which were under the suzeraineté of His Majesty the King of the Two Sicilies before the year 1801.

3. The suzeraineté and sovereignty of the Principality of Piombino and its dependencies.

Prince Ludovisi Buoncompagni shall retain, for himself and his legitimate successors, all the property which his family possessed in the Principality of Piombino, and in the Island of Elba and its dependencies, previously to the occupation of those countries by the French troops in 1799, together with the mines, foundries, and salt mines.

The Prince Ludovisi shall likewise preserve his right of fishery, and enjoy an entire exemption from duties, as well for the exportation of the produce of his mines, foundries, salt mines, and domains, as for the importation of wood and other articles necessary for working the mines: he shall be also indemnified by His Imperial Highness the Grand Duke of Tuscany, for all the revenues the family of the latter derived from the Crown duties before the year 1801. In case any difficulties should arise in the valuation of this indemnity, the parties concerned shall refer the decision to the Courts of Vienna and Sardinia.

4. The late Imperial fiefs of Vernio, Montanto, and Monte Santa Maria, lying within the Tuscan States.

ARTICLE CI.

The Principality of Lucca shall be possessed in full sovereignty by Her Majesty the Infant Maria Louisa, and her descendants in the direct male line.

The Principality is erected into a Duchy, and shall have a form of government founded upon the principles of that which it received in 1805.

An annuity of 500,000 francs shall be added to the revenue of the Principality of Lucca, which His Majesty the Emperor of Austria, and His Imperial Highness the Grand Duke of Tuscany, engage to pay regularly, as long as circumstances do not admit of procuring another establishment for Her Majesty the Infant Maria Louisa, her son, and his descendants. This annuity shall be specially mortgaged upon the Lordships in Bohemia, known by the name of Bavaro-Palatine; which, in case of the Duchy of Lucca reverting to the Grand Duke of Tuscany, shall be freed from this charge, and shall again form a part of the private domain of His Imperial and Royal Apostolic Majesty.

ARTICLE CII.

The Duchy of Lucca shall revert to the Grand Duke of Tuscany, either in case of its becoming vacant by the death of Her Majesty the Infant Maria Louisa, or of her son Don Carlos, and of their direct male descendants; or in case the Infant Maria Louisa, or her direct heirs, should obtain any other establishment, or succeed to another branch of their dynasty.

The Grand Duke of Tuscany, however, engages, should the said reversion fall to him, to cede to the Duke of Modena, as soon as he shall have entered into possession of the Principality of Lucca, the following territories:

1. The Tuscan districts of Fivizzano, Pietra Santa, and Barga.
2. The Lucca districts of Castiglione and Galliciano, lying within the States of Modena, as well as those of Minucciano and Monte Ignose, contiguous to the country of Massa.

ARTICLE CIII.

The Marches, with Camerino, and their dependencies, as well as the Duchy of Benevento and the Principality of Ponte Corvo, are restored to the Holy See.

The Holy See shall resume possession of the Legations of Ravenna, Bologna, and Ferrara, with the exception of that part of Ferrara which is situated on the left bank of the Po.

His Imperial and Royal Apostolic Majesty, and his successors, shall have the right of placing garrisons at Ferrara and Commachio.

The inhabitants of the countries who return under the government of the Holy See, in consequence of the stipulations of Congress, shall enjoy the benefit of Article XVI of the Treaty of Paris of the 30th May, 1814.

All acquisitions made by individuals, in virtue of a title acknowledged as legal by the existing laws, are to be considered as good, and the arrangements necessary for the guarantee of the public debt and the payment of pensions, shall be settled by a particular Convention between the Courts of Rome and Vienna.

No. 2.

Additional and Separate Article to the Territorial Treaty between Austria and Sardinia, of May 20, 1815.

LE droit de réversion de Sa Majesté le Roi de Sardaigne sur le Duché de Plaisance, stipulé par le Traité d'Aix-la-Chapelle de 1748, et par le Traité de Paris du 10 Juin, 1763, est confirmé. Les cas où ce droit devra se réaliser, seront réglés d'un commun accord, lorsque les négociations relatives aux Etats de Parme et de Plaisance seront achevées.

Il est toutefois entendu, que, le cas échéant de cette réversion, la ville de Plaisance, et un rayon de 2,000 toises, à partir de la crête du glacier extérieur, resteront en toute souveraineté et propriété à Sa Majesté l'Empereur d'Autriche, ses héritiers et successeurs, et qu'il sera cédé en compensation à Sa Majesté le Roi de Sardaigne, une autre partie des Etats de Parme, ou autre contigue à ses Etats en Italie, à sa convenance, et équivalente en population et revenu à la ville de Plaisance et au rayon ci-dessus.

Le présent Article Additionnel et Séparé aura la même force et valeur que s'il était inséré mot à mot au Traité Patent de ce jour. Il sera ratifié, et les ratifications en seront échangées en même temps.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé et y ont apposé le cachet de leurs armes.

Fait à Vienne, le 20 Mai, l'an de grâce 1815.

(L.S.) LE MARQUIS DE SAINT MARSAN.
(L.S.) LE COMTE ROSSI.

(L.S.) LE PRINCE DE METTERNICH.
(L.S.) LE BARON DE WESSENBERG.

(Translation.)

THE right of reversion of His Majesty the King of Sardinia to the Duchy of Placentia, stipulated for by the Treaty of Aix-la-Chapelle of 1748, and by the Treaty of Paris of 10th June, 1763, is confirmed. The cases in which that right will have to be realised, shall be regulated by common consent, when the negotiations relative to the States of Parma and Placentia shall be completed.

It is, however, understood that in case of that reversion occurring, the town of Placentia, and a radius of 2,000 toises, starting from the ridge of the external glacier, shall remain in full sovereignty and ownership to His Majesty the Emperor of Austria, his heirs and successors, and there shall be ceded as a compensation to His Majesty the King of Sardinia another portion of the States of Parma, or some other contiguous to his States in Italy, as shall appear to him most convenient, and equivalent in population and revenue to the town of Placentia and to the above radius.

The present Additional and Separate Article shall have the same force and validity as if it had been inserted word for word in the Treaty of this day's date. It shall be ratified, and the ratifications shall be exchanged at the same time.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Vienna, on the 20th of May, in the year of our Lord 1815.

(L.S.) LE MARQUIS DE SAINT MARSAN.
(L.S.) LE COMTE ROSSI.

(L.S.) LE PRINCE DE METTERNICH.
(L.S.) LE BARON DE WESSENBERG.

No. 3.

Protestation du Pape, contre les Résolutions du Congrès préjudiciables à la Religion et à l'Eglise Catholique.

Vienne, le 12 Juin, 1815.

LE Cardinal soussigné, Secrétaire d'Etat de Sa Sainteté le Pape Pie VII, et son Plénipotentiaire au Congrès de Vienne, d'après les ordres reçus de Sa Sainteté, n'a pas manqué, dans sa note du 17 Novembre, 1814, adressée à son Altesse M. le Prince de Metternich. Président de la Commission destinée pour les Affaires de

l'Allemagne, de présenter les réclamations du Saint Père au sujet des pertes et dommages soufferts par les églises Germaniques, soit dans leurs droits et prérogatives, soit dans leurs possessions.

Sa Sainteté avait déjà fait connaître, par des actes publics, sa vive douleur en voyant sanctionner par différents Traités (notamment celui de Ratisbonne, de l'année 1803) et exécuter tant et de si graves changements, au détriment des églises, des évêchés, des chapitres, des monastères, et autres institutions ecclésiastiques de l'Allemagne, et au détriment du Saint Empire Romain lui-même ; changements, desquels ont résulté les effets les plus douloureux pour les intérêts spirituels et temporels de l'Eglise, pour le salut des âmes, comme aussi pour les droits du Saint Siège Apostolique, reconnus pendant tant de siècles par les Empereurs et par les autres Princes de l'Empire.

Pendant le long cours de ses calamités, le Saint Père, prosterné devant Dieu, et implorant par ses ferventes prières l'esprit de la paix et de la concorde pour tous les Monarques et peuples Chrétiens, a fait toujours les vœux les plus ardents, afin que son Pontificat, qui dès les premiers moments a été pour sa personne la source féconde des vicissitudes les plus amères, fût, au retour de l'ordre, et à l'occasion de la pacification générale, l'époque heureuse du triomphe de la religion, et de la réintégration de l'Eglise dans tout ce dont elle avait été privée.

A cet effet, le Soussigné, en exécution des ordres du Saint Père, ne laissa pas de joindre à ses réclamations, les prières les plus vives, pour obtenir une réparation convenable aux maux qui, par la note énoncée ci-dessus, étaient mis sous les yeux de la Commission Germanique, à laquelle elle devait être communiquée.

Pour ce qui regarde les droits et les prérogatives des églises de l'Allemagne, droits et prérogatives dont une partie appartient intrinsèquement à la constitution générale de l'Eglise, et dont une autre partie est fondée sur la possession légitime et canonique des églises Germaniques, Sa Sainteté, par suite des principes qu'on entend énoncer par les Princes glorieux qui gouvernent l'Allemagne, a lieu de nourrir l'espoir que ces Princes magnanimes prêteront tout leur concours et appui à une systématisation des affaires ecclésiastiques de cette nation illustre, conforme aux lois de l'Eglise.

Mais, pour ce qui regarde les possessions de l'Eglise en Allemagne, différentes dispositions, que le Congrès de Vienne a cru devoir laisser subsister ou établir, ne peuvent qu'être un sujet de douleur pour le Saint Père. Les Principautés ecclésiastiques qui ont été détruites par la violence révolutionnaire, en faveur desquelles parlaient (du moins également) les mêmes principes et droits admis en faveur de tant de Princes séculiers rétablis dans leurs possessions, n'ont pas été réintégrées, et ont été assignées à différents Princes séculiers, Catholiques et non-Catholiques. Les biens ecclésiastiques, patrimoine sacré de tant d'églises si anciennes et si illustres, nécessaires au culte divin et à l'entretien du sacerdoce, et qui forment aussi la dotation d'établissements indispensables ou infiniment utiles du clergé séculier et régulier des deux sexes, ont été en partie laissés aux nouveaux possesseurs, sans aucun concours de l'autorité légitime, ou restent distraits de leurs destinations respectives. Le Saint Empire Romain, centre de l'unité politique, ouvrage vénérable de l'antiquité, consacré par l'auguste caractère de la religion, et dont la destruction a été un des renversements les plus funestes de la révolution, n'est pas ressuscité de ses ruines.

Les devoirs inhérents à la qualité de Chef visible de l'Eglise, et les serments solennels prononcés par le Saint Père à son élévation au Souverain Apostolat, lui tracent la conduite à tenir dans cette circonstance pénible.

Il a aussi devant les yeux l'exemple de tant de ses illustres prédécesseurs qui, même dans des cas d'une moindre importance, eurent le plus grand soin de pourvoir aux droits de la religion et du Saint Siège. C'est ainsi, pour ne pas citer une série de faits plus anciens, qu'Innocent X, après le Congrès et la Paix de Westphalie, en 1649, Clément XI, après le Traité d'Alt Ranstädt, en 1707, et de Bade, en 1714, et Benoît XIV, en 1744, de même que leurs Représentants dans les Congrès susdits, protestèrent contre toutes les innovations préjudiciables à l'église et aux droits du Saint Siège, renfermées dans ces Traités.

Le Saint Père, responsable à Dieu, à l'Eglise, et aux Fidèles, ne saurait, sans manquer à ses devoirs essentiels, garder le silence sur des résolutions d'un tel genre.

Par conséquent, le Cardinal soussigné, conformément aux ordres de Sa Sainteté, et à l'exemple des Légats du Saint Siège, envoyés près différents Congrès, et notamment de l'Evêque de Narde, Fabio Chigi, au Congrès de Westphalie, a l'honneur

de remettre à Son Excellence le Prince de Metternich, la protestation ci-jointe, contre les résolutions et tout autre acte préjudiciable aux intérêts de la religion Catholique, et contraire aux droits de l'Eglise et du Saint Siège, qui ont été maintenus ou établis par le Congrès de Vienne.

Le Soussigné prie que sa protestation soit insérée dans le Protocole du Congrès.

Il a l'honneur, &c.

(Signé)

HERCULE CARDINAL CONSALVI.

*Son Altesse le Prince de Metternich.

Annexe.

Protestatio, nomine Sanctitatis Suæ Pii Papæ VII et Sanctæ Sedis Apostolicæ, contra ea omnia, quæ in præjudicium jurium et rationum Ecclesiarum Germaniæ, atque etiam Sanctæ Sedis, vel sancita vel manere permissa sunt in Congressu Vindobonensi.

EGO Hercules, Sanctæ Romanæ Ecclesiæ Cardinalis Consalvi, Diaconus Sanctæ Agathæ ad Suburram, Sanctitatis Suæ Pii Papæ VII a secretis status, Ejusdemque Plenipotentarius ad Congressum Vindobonensem, omnibus et singulis chirographo hoc testatum facio, non eas tantum partes mihi a summo Pontifice apud Vindobonensem Congressum fuisse commissas, ut Dominiorum Sanctæ Sedis Apostolicæ curam susciperem, sed attendendum etiam mihi Sanctissimi Domini jussu fuisse, diligenterque cavendum, ne occasione generalis pacificationis constabiliendæ, ac rerum Europæ componendarum, Germanicæ Ecclesiæ et Apostolica Sedes, in eorum juribus, immunitatibus, privilegiis, bonis et quod caput est, in divino cultu, et salute animarum, aliquid detrimenti acciperent, imo vero mihi omni studio enitendum, ut quidquid damni, tam in spiritualibus quam in temporalibus rationibus suis, vicissitudine præteritorum temporum, in Germania passa esset Ecclesia, sarciretur.

Ut his partibus satisfacerem, ubi primum cognovi auctoritate principum supremorum imperiali hac regiaque in Urbe congregatorum, peculiarem constitutam fuisse *Commissionem* ad quam de Germaniæ negotiis cognoscere, deliberare, et constituere pertineret, Celsissimo Principi de Metternich, præsidi ejus *Commissionis*, Sanctitatis Suæ expostulationes in scriptis, prædictæ *Commissioni* exhibendis obtuli die 17 Novembris elapsi anni 1814.

In iis de omnibus illis rerum immutationibus sum conquestus, quæ superioribus annis, improbante (ut publicis documentis patet) Sanctissimo Domino Nostro, in Germania sunt factæ, quarum multæ plurium etiam Conventionum, præsertim vero Comitiorum Ratisbonensium anni 1803, sanctione firmatæ fuerunt, in detrimentum Ecclesiarum, Episcopatum, Capitulum, Monasteriorum, aliorumque piorum Locorum et Institutionum, ipsiusque etiam Sacri Romani Imperii, unde tam exitialia damna manarunt in spirituales etiam Ecclesiæ rationes, et animarum salutem, nec non grave illatum fuit præjudicium Apostolicæ Sedis juribus, quæ tot sæculorum spatio fuerant ab Imperatoribus ipsis, cæterisque Imperii Principibus agnita; quibus expositis, Sanctitatis Suæ nomine precatus sum, ut pro justitia et sapientia clarissimorum Principum, remedium tantis malis afferretur. Ipsorum præterea Legatos obtestari non destiti, ut in instauratione rerum Germaniæ, cui daturi essent operam, Catholicæ religionis, animarum salutis, juriumque Ecclesiarum Germanicarum, et Apostolicæ Sedis, potissimam habere vellent rationem.

Quod ad res Ecclesiasticas attinet, propensa voluntas Principum, quorum imperio Germania regitur, sæpius declarata, spem excitat, fore ut illæ quamprimum ad præscripta legum Ecclesiæ, componi atque ordinari possint.

Quod vero ad temporales Ecclesiarum Germaniæ possessiones pertinet, plura in Congressu aut sancita, aut manere permissa sunt, quæ Sanctitatis Suæ animum magno dolore sunt affectura.

Principatus enim temporales, quibus Ecclesia Germania spoliata fuit, instaurati non sunt, imo Principibus sæcularibus, tam Catholicis, quam a Catholicis, attributi; bona ac redditus Cleri, tum sæcularis tum regularis, utriusque sexus, quæ patrimonium Ecclesiæ sunt, ex parte penes novos eorum possessores, quin ulla legitimæ potestatis sanctio intercesserit, relinquuntur, ex parte autem ab iis usibus, in quos ordinata erant, abstracta, et aversa manere permittuntur. Ipsum denique sacrum Imperium Romanum, politicæ unitatis centrum jure habitum, et religionis sanctitate consecratum, minime redintegratum est.

Cum igitur Sanctissimus Dominus, pro ea qua premitur Dominici gregis, atque Ecclesiarum omnium sollicitudine, ac jurisjurandi in sua ad Supremum Pontificatum evectione præstiti religione obstrictus, hujusmodi damna temporalibus Ecclesiarum Germanicarum rationibus illata, aut manere permissa, ex quibus præterea Catholicæ rei cum graviora detrimenta necessario parantur, tum multa et magna præsidia tolluntur, non modo silentio præterire non possit, ne adprobare illa connivendo videatur, sed more etiam Prædecessorum suorum, qui contra multo minores Ecclesiæ jacturas Apostolicam proferre vocem non prætermiserunt, rationes ac jura Ecclesiæ sarta tecta, quantum in ipso est, tueri, atque intacta servare teneatur, idcirco Ego, cui partes ejus in hoc Congressu commissæ sunt, exemplis inhærensæ aliorum Sanctæ Sedis Legatorum, ac signanter Fabii Chisii, Episcopi Neritonensis, apud celeberrimum Monasteriensem in Westphalia, Congressum Apostolici Nuntii, contra omnia quæ in hoc Vindobonensi Congressu in præjudicium jurium et rationum Ecclesiarum Germaniæ, atque etiam Sanctæ Sedis, vel sancita, vel manere permissa sunt, et contra damna omnia, quæ divino cultui, animarumque saluti inde proveniunt, quæque, quantum in me fuit, impedire conatus sum, nomine Sanctæ Sedis Apostolicæ, ac Sanctissimi Patris Nostri, Domini Pii, divina providentia Papæ VII, palam per has litteras, atque omni meliori modo, via, causa et forma, quibus pro officii mei ratione teneor ac possum, protestor, resisto, et contradico, ad quorum omnium ampliorem notitiam, apud absentes quoque et posteros adstruendam, hanc protestationem manu mea subscripsi, meoque sigillo munivi, eamque in Protocollum actorum hujus Congressus inseri, firmiter postulo.

Datum Vindobonæ, ex ædibus Apostolicæ Nunciaturæ, die 12 Junii, anni 1815.

(L.S.) HERCULES CARDINALIS CONSALVI,

*A Secretis Status Sanctitatis Suæ, ejusdemque Plenipotentarius
ad Congressum Vindobonensem.*

*Protestation du Pape, contre le Traité de Paris, et les Résolutions du Congrès, préjudiciables
aux intérêts Temporels du Saint Siège.*

Vienne, le 12 Juin, 1815.

LE Soussigné, Cardinal Secrétaire d'Etat de Sa Sainteté, et son Ministre Plénipotentiaire au Congrès de Vienne, par sa note du 23 Octobre, 1814, présenta les instances du Saint Père, pour obtenir la réintégration du Saint Siège dans la totalité des domaines dont il avait été injustement dépouillé à différentes reprises dans le cours de la Révolution Française.

Le St. Père ne fut pas animé à faire une telle demande par un esprit de domination ou d'intérêt. Il a prouvé que des vues pareilles ne sont pas la règle de sa conduite.

Les serments solennels prêtés par lui à l'époque de son élévation au Pontificat Suprême; les engagements rigoureux qu'il contracta dans sa qualité d'Administrateur des propriétés du Saint Siège, de les conserver, de les défendre, et de les recouvrer; ses devoirs comme Chef de l'Eglise, de subvenir aux besoins de la religion, et aux dépenses nécessaires au service des fidèles; la nécessité finalement de soutenir convenablement la représentation de sa dignité; lui imposèrent l'obligation de réclamer la totalité des domaines du Saint Siège Apostolique.

Les Puissances réunies au Congrès ont accueilli avec faveur les réclamations de Sa Sainteté, et les trois Légations de Ravenne, de Bologne, et de Ferrare (moins la partie de cette dernière située sur la rive gauche du Pô), ainsi que les Marches, avec Camerino, Bénévent, et Ponte Corvo, sont rendus à leur Souverain légitime.

Le Saint Père témoigne, par l'organe du Soussigné, sa reconnaissance aux augustes Souverains, par l'aide desquels il a pû rentrer en possession de ces provinces.

Cependant, après avoir satisfait à ce devoir, le Saint Père se trouve à son regret dans la nécessité de manifester ses sentiments à l'égard de ces domaines du Saint Siège dans lesquels il n'a pas la satisfaction d'être rétabli.

La Province d'Avignon, le Comtat Venaissin, la partie de la Légation de Ferrare mentionnée plus haut, restent détachés du patrimoine du Saint Siège.

Si l'on fera attention à la nature des possessions de l'Eglise, et si on se rappellera les déclarations de Sa Sainteté, faites par l'organe du Soussigné, dès le commencement du Congrès, savoir, de ne pouvoir donner son adhésion à un démembrement quelconque des domaines du Saint Siège, on sentira les motifs de la démarche qu'on est dans la nécessité de faire.

Le Saint Père manquerait à ses devoirs, si dans cette occasion il ne garantissait pas, par ses protestations, les droits imprescriptibles du Siège Apostolique.

Avignon, acquis par le Saint Siège à titre onéreux, et possédé pendant cinq siècles ; le Comtat Venaissin, acquis et possédé depuis une époque plus reculée encore ; sont trop intéressants par l'ancienneté même de leur possession, par les souvenirs qu'ils présentent, par le nombre des habitants, et la richesse des productions, pour que le Saint Siège puisse s'empêcher de faire ses protestations à leur sujet.

Cette même Assemblée Nationale, qui après avoir arrêté deux fois l'inadmissibilité de la réunion de ces Provinces à la France, les ravit enfin au Saint Siège Apostolique, en 1791, n'osa pas priver le Saint Siège d'une propriété si ancienne et si légitime, sans décréter contemporanément qu'on lui donnât une compensation proportionnée, et ce fut à cet effet qu'elle eut soin d'insérer dans son Décret les paroles suivantes : "Le Pouvoir Exécutif sera prié de faire ouvrir des négociations avec la Cour de Rome, pour les indemnités et les dédommagements qui pourront lui être dus."

Les Monarques de l'Europe, auxquels le Souverain Pontife Pie VI porta dans cette occasion ses réclamations, ne laissèrent pas de lui manifester leurs sentiments à cet égard. L'immortelle Catherine II, déclara expressément d'être disposée—"à contribuer aussitôt qu'il sera possible à la restitution des possessions dont un pouvoir illégitime avait dépouillé la Cour de Rome." Le sage Empereur Léopold II, en faisant connaître à Pie VI les mêmes dispositions de sa part, dit, "qu'il le faisait parcequ'il n'y avait rien de plus juste sur la terre, et parcequ'il était de l'intérêt de tous les Souverains, qu'un pareil attentat ne reçut aucune prescription." Le vertueux Louis XVI notifia au même Pontife, "qu'il lui rendrait Avignon, et le Comtat Venaissin, au premier moment qu'il le pourrait."

La Convention de Tolentino, extorquée à Pie VI par un Gouvernement qui lui avait enlevé ces pays à la suite d'une agression gratuite, ne peut en aucune manière fournir un titre à retenir ces provinces à l'Eglise Romaine.

Il est douloureux d'abord, que le Saint Siège doive être privé de ses domaines, pour un motif qui a été compté pour rien à l'égard d'autres Princes également contraints par une prépondérance, devant laquelle tout pliait, à faire des Traités et des cessions. Mais l'objection du Traité de Tolentino est si inconsistente en elle-même, qu'il n'est pas nécessaire d'avoir recours à des arguments extrinsèques pour en éluder la force.

Il n'est pas nécessaire non plus de produire contre ce Traité toute la masse des raisons qu'on pourrait lui opposer. Les réflexions suivantes suffiront seules pour détruire cette objection.

Une agression non provoquée, et dénuée de tout ce qui, par le droit des nations, peut rendre une guerre légitime ; une agression contre un Etat innocent et foible, qui a solennellement proclamé sa neutralité dans la guerre qui agite d'autres Etats, est hors de tout droit humain, et un Traité qui est la conséquence d'une agression de cette nature, est *essentiellement nul et invalide*.

Mais quand même contre la vérité de ces principes on voulait admettre la supposition de la validité d'un Traité de cette sorte, il est certain que dans celui de Tolentino la *conservation du reste des Etats du Saint Siège* ayant été stipulée *en correspectivité des cessions* qu'on lui extorquait, et le Gouvernement *qui s'était engagé à une telle conservation* ayant envahi peu après sans une cause légitime tout ce reste des Etats Pontificaux, ce Traité fut *annulé et dissout* par ce Gouvernement qui avait été à la fois agresseur et violateur lui-même de ses stipulations.

La supposition que l'infraction d'un Traité ne fait qu'en *suspendre* les effets sans le dissoudre, est décidément contraire aux principes les plus indubitables du Droit des Gens. Grotius dit, "que les Articles d'un Traité ont force de condition, dont le défaut le rend nul." Wattel, en parlant de l'axiome "que les Traités contiennent des promesses parfaites et réciproques," établit, "que l'allié offensé, ou lésé dans ce qui est l'objet du Traité, peut choisir ou de contraindre un infidèle à remplir ses engagements, ou de déclarer le Traité rompu pour l'atteinte qu'y a été donnée;" et dans un autre endroit, il dit, "quand le Traité de Paix est violé par l'un des contractants, l'autre est le maître de déclarer le Traité rompu."

Ces principes ont une force *plus grande encore* quand la violation du Traité a été portée par une des Parties Contractantes jusqu'à la *destruction* de l'autre. Dans un pareil cas, la partie *détruite* ne conserve aucune obligation vis-à-vis de *son destructeur*, ainsi que celui-ci ne conserve aucun droit sur elle. Wattel dit

“quand un Etat est détruit, ou quand il est subjugué par un conquérant, tous ses Traités *périssent* avec la puissance publique qui les avait contractés.”

Après sa *destruction*, la souveraineté temporelle du Pontife Romain se releva en 1800, mais *non par l'ouvrage du Gouvernement destructeur*, et sans qu'il ait été stipulé avec lui *aucune Convention nouvelle à cette fin*. Les choses restèrent par conséquent dans le même état dans lequel elles se trouvaient à l'époque de la destruction du Gouvernement Papal, c'est-à-dire, que le Traité de Tolentino *déjà aboli* par le Gouvernement Français, continua à demeurer *éteint* et ne peut plus produire aucun effet.

Si entre des Gouvernements même légitimement belligérents, encore que l'un d'eux n'ait été *détruit*, les Conventions violées restent *éteintes* suivant les autorités citées, et non pas seulement suspendues jusqu'à ce que les anciens Traités ne soient ranimés par des nouveaux : quel nouveau Traité, en considérant la chose même sous ce dernier rapport, exista-t-il entre le Gouvernement Français et Pie VI, détronisé par lui, et mort captif en France ? Quel nouveau Traité à cet objet, exista-t-il entre le Gouvernement Français et Pie VII ?—aucun,—et si un nouveau Traité eût été conclu entre eux, ce serait ce dernier, et non pas celui de Tolentino, qui aurait ensuite dû régler les relations politiques entre le Saint Siège et la France.

Le Saint Père actuellement régnant, à peine élevé au Pontificat suprême, comme plusieurs fois après, ne laissa pas de réclamer les provinces enlevées par le Traité de Tolentino, et de protester plus librement que Pie VI n'avait pu faire, non moins à cause de la *nullité* de ce Traité, qu'à cause de sa *destruction* par le Gouvernement Français lui-même. Ainsi les droits du Saint Siège sur ces provinces demeurèrent toujours préservés et intacts, et ni la France, ni d'autres sous les prétendus droits de la France, sauraient se prévaloir d'un titre *nul en lui-même*, ou assurément *détruit*.

La nullité ou la destruction de ce Traité se trouvent reconnues par les Puissances alliées elles-mêmes. Lorsque dans l'Article III du Traité de Paris du 30 Mai, il fut question de conserver à la France, Avignon et le Comtat Venaissin,—bien loin d'alléguer le Traité de Tolentino, les Puissances alliées jugèrent nécessaire *d'en assurer* la possession à la France, ainsi que l'Article cité l'exprime ; faisant voir par là, qu'elles ne regardaient pas le Traité de Tolentino comme suffisant pour fournir un motif fondé à l'incorporation à la France de ces deux provinces du Saint Siège.

Mais ce Traité de Paris, fait sans aucune intervention du Saint Siège, n'a pu préjudicier à ses droits. Si le Saint Père ne pût voir sans douleur disposer de cette sorte, d'une partie si considérable des propriétés du Siège Apostolique, et si, par l'organe du Soussigné, il en fit le sujet de ses remontrances dans les notes présentées à Paris, à Londres, et à Vienne, tant au Gouvernement Français en particulier, comme aux Ministres des Puissances alliées, et au Congrès en général, Sa Sainteté ne laissa cependant de supposer (ainsi que le Soussigné le déclara expressément, dans sa dernière note du 23 Octobre) que, ou la France ne voudrait pas garder ces deux pays au détriment du Souverain légitime, ou que le Saint Siège en serait dédommagé par une compensation territoriale proportionnée à la valeur des provinces enlevées—compensation, il faut le répéter, décrétée par cette même Assemblée qui en dépouilla l'Eglise Romaine.

Une telle compensation n'ayant pas eu lieu, Sa Sainteté est en droit ou de l'obtenir, ou d'être réintégrée dans la possession de ces anciens domaines du Saint Siège. Jusque là, ses devoirs les plus strictes commandent au Saint Père de préserver, à l'exemple de ses prédécesseurs, les droits du Saint Siège Apostolique sur ces provinces.

Les mêmes raisons s'appliquent à la partie de la Légation de Ferrare, située sur la gauche du Pô, propriété du Saint Siège depuis tant de siècles. Cette partie n'étant pas remise sous sa domination, ne saurait être exclue de la protestation. Mais la religion et la piété de Sa Majesté Impériale et Royale Apostolique, et les preuves de bienveillance que le Saint Père en a reçues, le rassurent que dans la contiguïté des deux Etats, Sa Majesté trouvera aisément le moyen d'en indemniser le Saint Siège.

D'après les résolutions prises, l'Autriche aura le droit de garnison dans les places de Ferrare et de Comacchio, rendues à la domination du Souverain Pontif. Cette mesure, tout-à-fait contraire à la libre et indépendante souveraineté du Saint Siège, ainsi qu'à son système de neutralité, pouvant lui attirer des hostilités, portant

atteinte à ses droits, et entravant leur exercice, le Soussigné se voit obligé de protester encore formellement à ce sujet.

Le Soussigné se flatte que ses justes protestations au nom du Saint Père pour garantir les droits du Saint Siège Apostolique, produiront l'effet désiré relativement aux restitutions ou compensations, comme aux mesures touchant les garnisons de Ferrare et de Comacchio, dont il est question dans cette note.

En attendant, le Cardinal soussigné, conformément aux ordres de Sa Sainteté, et à l'exemple des Légats du Saint Siège envoyés près différents Congrès, et notamment de l'Evêque de Narde, Fabio Chigi, au Congrès de Westphalie, à l'honneur de remettre à son Excellence, &c., Plénipotentiaire au Congrès de Vienne, la protestation ci-jointe, relative aux déterminations du Congrès à l'égard des intérêts temporels du Saint Siège, en priant quelle soit insérée au Protocole.

Le Soussigné, &c.

(Signé)

HERCULE CARDINAL CONSALVI.

Son Altesse le Prince de Metternich.

Annexe.

Protestatio nomine Sanctitatis Suæ Pii Papæ VII, et Sanctæ Sedis Apostolicæ, contra ea omnia quæ relate ad ejus Ditiones vel sancita, vel manere permissa sunt, in Congressu Vindobonensi, in ejusdem Sanctæ Sedis præjudicium.

EGO, Hercules Sanctæ Romanæ Ecclesiæ Cardinalis Consalvi, Diaconus Sanctæ Agathæ ad Suburram, Sanctitatis Suæ Pii Papæ VII, a Secretis Status, ejusdemque Plenipotentarius ad Congressum Vindobonensem chirographo hoc testatum facio, me, jussu summi Pontificis, ac vi muneris mihi demandati, apud Supremos Principes, eorumque Plenipotentarios Vindobonæ congregatos, omni officiorum genere egisse, ut Sanctæ Romanæ Sedi regiones illæ omnes restituerentur, quarum possessione per notissimas rerum conversiones anno 1789 inceptas, diversis vicibus fuerat deturbata. Expostulationes Sanctitatis Suæ circa regiones illas, et firmissima rationum momenta quibus jura Sanctæ Sedis nituntur, cum Parisiis, tum Londini, in scriptis jam exposueram; Vindobonæ denique prosecutus sum pleniori scripto, quod Congressui obtuli die 23 Octobris elapsi anni 1814.

Inter cætera quæ ab eo sancita sunt, constitutum quidem et illud est Marchias, Camarinum, Beneventum, et Pontem Curvum, cum eorum pertinentiis, Sanctæ Romanæ Sedi reddenda esse, itemque eamdem Sanctam Sedem in possessionem provinciarum Bononiæ, Ferrariæ, et Æmiliæ, quæ trium Legationum nomine veniunt, iterum esse immittendam, excepta tamen parte illa Ferrariensis provinciæ quæ sinistro Padi litori adjacet. At de aliis ejusdem Sanctæ Sedis possessionibus infra recensendis, nec non de antedicta Ferrariensis provinciæ parte, ad eamdem Romanam Ecclesiam pertinentibus, quas sive restitui, sive æquari justa compensatione petieram, expostulationes meæ optatum exitum non habuerunt.

Avenionensis Provincia, cujus dominium emptionis titulo acquisitum, et quinque sæculorum possessione firmatum est, itemque Comitatus Venusinus, quem longiori etiam temporis spatio Apostolica Sedes possedit, quibus regionibus Decreto Nationalis Conventus anni 1791 Sancta Sedes spoliata fuerat, ea tamen lege in Decreto ipso apposita, ut, pro ejusdem Sanctæ Sedis jure, et agnito, et admissio, damnum eidem illatum sarciretur, hæ regiones, inquam, quas redditurum Sese Romanæ Ecclesiæ ipsi Galliarum Rex Ludovicus XVI, luculentur pollicitus fuerat, in potestate Galliarum relinquuntur. Quod vero hæ regiones non fuerint Romanæ Ecclesiæ restitutæ, non est quod sive Conventio Tolentini inita anno 1797, sive pacis fœdus anno 1814, Lutetiæ Parisiorum sancitum, obtendi possint. Quod enim ad Tolentinatam Conventionem attinet, ea tum, initio ipso, multis *nullitatis* vitiis quæ meis in expostulationibus recensui, certissime laboravit, tum ipsius Gubernii Gallici opera, et facto, paulo post *abrogata*, ut exploratissima publici juris sententia est, *extincta*, ac penitus *destructa* fuit, tunc scilicet, cum idem Gubernium, quo cum ea Conventio inita fuerat, temporalem Sedis Apostolicæ Principatum prorsus evertit, occupato, vindicatoque sibi universo quod supererat, Pontificiæ Ditionis tractu, *cujus conservandi causa* earum provinciarum cessio peracta fuerat. Quod vero pertinet ad Parisiense pacis fœdus, obstringi illo Apostolicam sedem aut jura ejus lædi minime posse perspicuum atque evidens est, cum ipsa nullas in fœdere illo partes habuerit.

Supramemorata item Ferrariensis Provinciæ pars in sinistro Padi litore sita, legitimo et ipsa jure, ac tot sæculorum possessionis titulo ad Sedem Apostolicam pertinens, in ejus non regreditur potestatem, neque ulla ei hoc nomine tributa fuit compensatio, tametsi ea omnia quæ tum de Tolentinate Conventione, tum de Parisiensi fœdere superius dicta sunt, invicte demonstrent nullo modo inconcussa Sanctæ Sedis in eam regionem jura per acta illa posse convelli.

Denique constitutum est in Congressu augustissimum Imperatorem Austriæ, suosque successores, jus habituros esse Ferrariam et Comaclum, ad Romanam Ecclesiam spectantes, Austriaco presidio communiendi, in præjudicium supremi principatus Sedis Apostolicæ, nec non neutralitatis ejus, cum damnorum illorum periculo quæ ob id Romanæ Ecclesiæ occasione bellorum obvenire possent.

Ab hisce omnibus cum Sanctæ Sedi, Romanæque Ecclesiæ grave damnum ac præjudicium creetur, idcirco ut omnibus innotescat non modo omnem consensum, ac conniventiam iis a me denegari, sed etiam contradici, ac repugnari, exemplis inhærens Legatorum præfatæ Sedis Romanæ qui similibus Comitibus interfuerunt, ac signanter Fabii Chisii, Episcopi Neritonensis, ad celeberrimum Monasteriensem in Westphaliæ Congressum, Apostolici Nuntii, qui contra damna, ac præjudicia tam temporalibus Ecclesiæ rationibus, quam spiritualibus ejusdem juribus in illo Congressu illata solemnem protestationem interposuit, Ego quoque contra ea omnia quæ in hoc Vindobonensi Congressu aut sancita, aut manere permissa sunt, ex quibus damnum ac præjudicium dominiis, possessionibus, ac juribus Sanctæ Sedis in regiones supramemoratas quomodocunque manavit, aut manare posset, ac generatim contra quæcumque alia Ecclesiæ præjudicialia, nomine Sanctæ Sedis Apostolicæ ac Sanctissimi Patris nostri Domini Pii, divina providentia Papæ VII, palam per has litteras, atque omni meliori modo, via, causa, et forma, quibus pro officii mei ratione teneor ac possum, protestor, resisto, et contradico, ad quorum omnium ampliorem, notitiam, apud absentes quoque, et posteros adstruendam, hanc protestationem mea manu subscripsi, meoque sigillo munivi, eamque in Protocollum actorum hujus Congressus inseri firmiter postulo.

Datum Vindobonæ, ex Ædibus Apostolicæ Nuntiaturæ, die 12 Junii, anno 1815.

(L.S.) **HERCULES CARDINALIS CONSALVI,**
A Secretis Status Sanctitatis Suae, ejusdemque Plenipotentarius
ad Congressum Vindobonensem.

(Translation.)

*Protest of the Pope against such Resolutions of the Congress of Vienna as were
 prejudicial to Religion and to the Catholic Church.*

Vienna, June 12, 1815.

THE Undersigned Cardinal, Secretary of State of his Holiness the Pope Pius VII, and his Plenipotentiary at the Congress of Vienna, in obedience to the commands of his Holiness, has not failed, in his note of the 17th of November, 1814, addressed to his Highness Prince Metternich, President of the Commission appointed for the affairs of Germany, to make known the remonstrances of the Holy Father, on the losses and injuries suffered by the Churches of Germany, as well in their rights and privileges as in their possessions.

His Holiness has already notified, by public documents, his profound regret at witnessing so many and such important changes sanctioned by different Treaties (especially that of Ratisbon, in the year 1803), and afterwards executed, to the detriment of the churches, bishoprics, chapters, monasteries, and other ecclesiastical institutions of Germany, and to the injury of the Holy Roman Empire itself; changes from which have resulted the most deplorable consequences to the spiritual and temporal interests of the Church, the salvation of souls, and the rights of the Holy Apostolic See, which have been acknowledged for so many ages by the Emperors and other Princes of the Empire.

During the long continuance of his calamities, the Holy Father, prostrate before God, and imploring by his fervent prayers that the spirit of peace and concord might descend upon all Christian monarchs and peoples, has always most ardently desired that his Pontificate, which from its very commencement up to the present moment has been to him personally a fruitful source of the most painful vicissitudes, might be, upon the return to order and on the occasion of the general pacification, the auspicious epoch of the triumph of religion, and of the re-instatement of the Church in all that of which she had been despoiled.

With this view, the Undersigned, obeying the commands of the Holy Father, has united to remonstrances the most earnest prayers, for the purpose of obtaining a suitable reparation for the evils which, by the above-mentioned note, were brought to the notice of the Germanic Commission, to which the said note was required to be addressed.

As regards the rights and privileges of the churches of Germany, rights and privileges, one portion of which belongs intrinsically to the general constitution of the Church, while the other one is founded upon the legitimate and canonical possession of the Germanic churches, his Holiness, in consequence of the principles which the illustrious Princes who govern Germany have been heard to declare, feels justified in indulging the hope that those magnanimous Potentates will lend all their assistance and support to the systemization of the ecclesiastical affairs of that renowned nation conformably to the laws of the Church.

But with respect to the possessions of the Church in Germany, various dispositions which the Congress of Vienna has thought fit either to allow to stand or to establish, cannot but be a subject of grief for the Holy Father. The ecclesiastical Principalities which were destroyed by revolutionary violence, have not been reintegrated, but, on the contrary, have been assigned over to different secular Princes, Catholic or non-Catholic, and this, notwithstanding that the very same principles and rights admitted on behalf of so many secular Princes re-established in their possessions, could be pleaded, with, at least, equal force in favour of the former. Ecclesiastical property, the sacred patrimony of so many churches so ancient and so illustrious, necessary for divine worship and for the maintenance of the priesthood, and which thus form the endowment of the indispensable or infinitely useful establishments of the secular and regular clergy of the two sexes, have, in part, been left to the new possessors, without any concurrence of the legitimate authority, or remain diverted from their respective destinations. The Holy Roman Empire, the centre of political unity, that venerable work of antiquity, consecrated by the august character of religion, and whose destruction was one of the most fatal acts of revolutionary violence, is not yet resuscitated from its ruins.

The duties inherent in the character of visible Head of the Church, and the solemn oaths taken by the Holy Father on his elevation to the Sovereign Apostleship, trace out to him the line of conduct to be pursued in so painful a conjuncture.

He has also before his eyes the example of so many of his illustrious predecessors, who, even in cases of minor importance, have evinced the greatest solicitude in watching over the rights of religion and of the Holy See. Thus it was that, not to mention a succession of more ancient instances, Innocent X after the Congress and the Peace of Westphalia in 1649, Clement IX after the Treaty of Alt Ranstädt in 1707, and of Baden in 1714, and Benedict XIV in 1744, as well as their representatives in the above-named Councils, protested against all the innovations prejudicial to the Church and to the rights of the Holy See, contained in those Treaties. The Holy Father, responsible as he is to God, to the Church, and to the Faithful, cannot, without neglecting his essential duties, remain silent on the subject of resolutions of such a description.

In consequence whereof, the undersigned Cardinal, conformably to the orders of his Holiness, and to the example of the Legates of the Holy See accredited to the different Congresses, and more especially to that of the Bishop of Narde, Fabio Chigi, at the Congress of Westphalia, has the honour of forwarding to his Excellency Prince Metternich, the hereunto annexed Protest against the resolutions, and every other act prejudicial to the interests of the Catholic religion, and contrary to the rights of the Church and of the Holy See, but which have been maintained and established by the Congress of Vienna.

The Undersigned requests that this his protest may be inserted in the Protocol of the Congress.

He has the honour, &c.

(Signed)

HERCULE CARDINAL CONSALVI.

To his Highness Prince Metternich.

Protest in the name of His Holiness Pope Pius VII and of the Holy Apostolic See, against all those provisions which, to the prejudice of the rights and privileges of the Churches of Germany, and also of the Holy See, have either been decreed, or else allowed to remain, by the Congress of Vienna.

I, Hercules Consalvi, Cardinal of the Holy Roman Church, Deacon of the Suburban Church of Sancta Agatha, Private Secretary of State of His Holiness Pope Pius VII, and Plenipotentiary of the same at the Congress of Vienna, do, by this my autograph, make known to all and every one, that the commission entrusted to me by the Supreme Pontiff, at the Congress of Vienna, has not only for object that I should undertake the defence of the dominions of the Holy Apostolic See, but that also, in obedience to the commands of His Holiness, it should be my especial care that, on the occasion of establishing the general pacification, and of settling the affairs of Europe, the Churches of Germany and the Apostolic See should not suffer any loss or detriment in their rights, immunities, privileges, property, and, which is chief of all, in Divine worship and the salvation of souls; and, moreover, that I should use the most strenuous efforts, that whatever injury, whether as regards its spiritual or temporal rights, the Church may, by the vicissitudes of times past, have suffered in Germany, the same may be redressed and repaired.

In order to fulfil this duty, I was no sooner informed that, by the authority of the high and mighty Princes assembled in this imperial and royal city, a Special *Commission* was appointed for the purpose of inquiring into, deliberating upon, and settling the affairs of Germany, than, on the 17th day of November, 1814, last past, I forwarded, in writing, to the most noble the Prince Metternich, President of the aforesaid *Commission*, the remonstrances of His Holiness, for the purpose of their being laid before such *Commission*.

In the said remonstrances I complained of all those changes which, in preceding years, notwithstanding (as is proved by public documents), the disapproval of His Holiness, have been effected in Germany, and of which many were confirmed and ratified by various treaties, especially by the one concluded at Ratisbon in 1803, to the detriment of the churches, bishoprics, chapters, monasteries, and other pious places and institutions, and also of the Holy Roman Empire itself; from which changes not only so many fatal injuries have ensued to the spiritual affairs of the Church and the salvation of souls, but also serious harm has resulted to the rights of the Apostolic See, which rights have, for so many ages, been acknowledged and recognized by the Emperors themselves, and by the other Princes of the Empire; all which circumstances having duly set forth, I prayed that, through the justice and wisdom of the illustrious Sovereigns a remedy might be applied to so many evils. I, moreover, ceased not to beseech the Commissioners that in the new settlement of the affairs of Germany upon which they were engaged, they would have a special regard for the Catholic religion, the salvation of souls, and the rights of the German Churches, and of the Apostolic See.

In so far as belongs to ecclesiastical affairs, the favourable and frequently-declared wishes of the Princes by whom Germany is ruled, encourage the hope that they may, as soon as possible, be settled and regulated in conformity with the precepts of the Canon Law ("legum ecclesiæ").

As to what concerns the temporal possessions of the Churches of Germany, many things were, by the Congress, either decreed or allowed to remain, which have caused His Holiness the deepest regret and sorrow.

For the temporal Principalities, of which the Church in Germany has been despoiled, so far from being restored, have been transferred over to secular Princes, Catholic or non-Catholic; the property and revenues of the clergy, secular as well as regular, and of either sex, and which are the patrimony of the Church, are, partly without the intervention of the sanction of any legitimate authority, left in the power of their new possessors, and partly, after having been diverted from the uses for which they were intended, have been permitted to be applied to wholly different ones. Lastly, the Holy Roman Empire itself, justly considered as the centre of political unity, and consecrated by the sanctity of religion, has not been reintegrated.

Inasmuch, then, as the Supreme Pontiff, actuated by his solicitude for the Lord's flock, as well as bound by the oath which he took when raised to the Supreme Pontificate, can neither pass over in silence, nor appear, by his connivance,

to approve of the injuries which have, in this manner, been either recently inflicted upon the temporal rights of the German Churches, or allowed to remain, and by which have been removed so many and such efficient safeguards against any still more serious wrongs which may be preparing for the injury of the welfare of Catholicism; but, after the example of his predecessors, who never failed to raise the Apostolic voice against far lesser injuries done to the Church, is bound to defend and preserve intact and in all their integrity, as far as in his power lies, the rights and privileges of the Church; I, therefore, who am the representative of His Holiness at this Congress, following the example of other Legates of the Holy See, and especially that of Fabio Chigi, Bishop of Narde, Apostolic Nuncio at the celebrated Congress of Münster, in Westphalia, have endeavoured, to the utmost of my power, to prevent and hinder all things whatsoever which, in this Congress of Vienna, are, to the prejudice of the rights and privileges of the Churches of Germany, and also of the Holy See, either decreed or suffered to remain, as well as all injuries resulting therefrom to Divine worship and the salvation of souls; and do, in the name of the Holy Apostolic See, and of our Most Holy Father His Holiness, by divine providence Pope Pius VII, openly by these presents, and in the best possible manner, way, and form, in my power, and in accordance with my duty, protest, resist, and contradict the same; and for insuring a fuller knowledge of all which things, and for making known the same to all absent persons, as well as to posterity, I have signed this protest with my own hand, and have thereunto affixed my seal, and moreover earnestly request that the same may be inserted in the Protocol of the Acts of this Congress.

Given at Vienna, from the Hotel of the Apostolic Legation, this 12th day of June, of the year 1815.

(L.S.)

(Signed)

HERCULES CARDINAL CONSALVI,

*Private Secretary of State of His Holiness, and his Plenipotentiary
at the Congress of Vienna.*

Protest of the Pope against the Treaty of Paris, and the Resolutions of the Congress of Vienna, prejudicial to the Temporal Interests of the Holy See.

Vienna, June 12, 1815.

THE Undersigned, Cardinal Secretary of State of His Holiness, and His Minister Plenipotentiary at the Congress of Vienna, by his note of the 23rd of October, 1814, presented the earnest solicitations of the Holy Father, with a view to obtaining the reinstatement of the Holy See in the entirety of the domains of which it had been unjustly despoiled at various times in the course of the French Revolution.

The Holy Father was not induced to prefer such a demand either by motives of ambition or of interest. He has given proofs that such views are not the rule of his conduct.

The solemn oaths taken by him at the time of his elevation to the Supreme Pontificate; the strict engagements entered into by him, in quality of Administrator of the property of the Holy See, to preserve, defend, and recover the same; his duty as Head of the Church, to provide for the wants of religion, and the necessary expenses required for the service of the faithful; and lastly, the necessity of suitably maintaining the dignity of his high office; all these considerations have imposed upon him the obligation of claiming the restitution of the whole of the domains of the Holy Apostolic See.

The Powers assembled at the Congress have favourably received the remonstrances of His Holiness, and the three Legations of Ravenna, Bologna, and Ferrara (minus that portion of this last which is situated upon the left bank of the Po), as well as the Marshes, together with Camerino, Benevento, and Ponte Corvo, have been restored to their legitimate Sovereign.

Through the medium of the Undersigned, the Holy Father has expressed his gratitude to the august Sovereigns by whose assistance he has been enabled to resume possession of those Provinces.

Having, however, performed this duty, it is with regret that the Holy Father finds himself under the necessity of declaring his sentiments with respect to those domains of the Holy See in which he has not the satisfaction of being re-established.

The Province of Avignon, the county of Venaissin, the portion of the Lega-

tion of Ferrara above-mentioned, still remain detached from the patrimony of the Holy See.

If due attention be paid to the nature of the possessions of the Church, and if the declarations of His Holiness, made through the medium of the Undersigned, at the opening of the Congress, be recalled to mind, viz., that His Holiness could not give his consent to any dismemberment whatsoever of the domains of the Holy See, the motives of the proceedings which it is now necessary to adopt will be perfectly understood.

The Holy Father would be neglectful of his duties if upon this occasion he did not, by his protests, assert the imprescriptible rights of the Apostolic See.

Avignon, acquired by the Holy See in virtue of a pecuniary equivalent ("à titre onéreux"), and held in its possession for five centuries; the county Venaissin, acquired and possessed since a still more remote period; are too interesting on account of the very antiquity of their possession, the reminiscences they create, the number of the inhabitants, and the richness of the productions, for the Holy See to forbear protesting upon the subject of them.

That self-same National Assembly which, after having twice decreed the inadmissibility of reuniting those Provinces to France, at last wrested them from the Holy See in 1791, dared not to dispossess the Holy See of so ancient and legitimate a property, without simultaneously decreeing that a proportionate compensation should be awarded it, and it was for this purpose that care was taken to insert in its Decree the following words:—"The Executive Power shall be desired to cause negotiations to be opened with the Court of Rome, for the indemnities and compensations to which it may be entitled."

The Monarchs of Europe to whom the Sovereign Pontiff Pius VI addressed, on that occasion, his remonstrances, were not backward in declaring their sentiments upon the subject. The immortal Catherine II expressly declared herself disposed "to contribute, as soon as possible, to the restitution of the possessions of which an illegitimate Power had despoiled the Court of Rome." The sagacious Emperor Leopold II, upon communicating to Pius VI the same intentions on his part, said, "that he did it because nothing on the earth could be more just, and because it was the interest of every Sovereign that such a crime should not have the sanction of prescription." The virtuous Louis XVI notified to the same Pontiff, "that at the earliest possible moment he would restore Avignon and the county Venaissin to him."

The Treaty of Tolentino, extorted from Pius VI by a Government which had despoiled him of those countries, after a gratuitous and unwarrantable aggression, cannot in any way furnish a right for retaining these provinces from the Roman Church.

In the first place, it is deplorable that the Holy See should be deprived of its domains for a cause which was reckoned as nothing with respect to other Princes, equally constrained, by a preponderance under which all succumbed, to make Treaties and Cessions. But the objection of the Treaty of Tolentino is so inconsistent in itself, that it is unnecessary to have recourse to adventitious arguments in order to elude its force. It is equally unnecessary to produce against that Treaty the whole mass of reasons with which it might be opposed. The following reflections will alone suffice to destroy that objection:—

An aggression unprovoked, and denuded of all that, by the Law of Nations, can render a war lawful; an aggression against an innocent and weak State, which has solemnly proclaimed its neutrality in the war by which other States are convulsed, is out of the pale of all human right; and a Treaty which is the consequence of an aggression of this nature *is essentially null and invalid*.

But even if, notwithstanding the truth of these principles, there were a desire to admit the supposition of the validity of a Treaty of this description, it is certain that, in that of Tolentino, the *preservation of the rest of the States* of the Holy See having been stipulated *co-respectively with the cessions* extorted from it, and the Government *which had bound itself to such a preservation* having shortly afterwards, without any legitimate cause, invaded all the rest of the Pontifical States, that Treaty was *annulled and dissolved* by the very Government which had been, at one and the same time, the aggressor and the violator itself of its stipulations.

The supposition that the infraction of a Treaty only *suspends* its effects, without dissolving it, is decisively contrary to the most indubitable principles of the Law of Nations. Grotius says, "that the Articles of a Treaty have the force of condition, *the want of which renders it null*." Vattel, speaking of the axiom,

“that Treaties contain perfect and reciprocal promises,” establishes, “that the ally who has been offended or hurt in that which is the object of the Treaty, may take his choice either to compel the faithless party to fulfil his engagements, or to declare the Treaty broken on account of the injury which has been done it.” And in another place, he says, “when the Treaty of Peace is violated by one of the Contracting Parties, the other is at liberty to declare the Treaty broken.”

These principles have *far greater force still* when the violation of the Treaty has been carried by one of the Contracting Parties, so far as to cause the *destruction* of the other. In such case, the party *destroyed* preserves no obligation towards *his destroyer*, and, in like manner, the latter preserves no right over the former. Vattel says : “When a State is destroyed, or when it is subjugated by a conqueror, all its Treaties *perish*, together with the public power which had contracted them.”

After its *destruction*, the temporal Sovereignty of the Roman Pontiff was resuscitated in 1800, *but not by the instrumentality of the destroying Government*, and without there having been stipulated *with it any new Treaty* with that view. Things, therefore, remained in the same state in which they were at the time of the destruction of the Papal Government ; that is to say, that the Treaty of Tolentino, *already abolished* by the French Government, continued to remain *extinct*, and is incapable of producing any effect.

If between Governments, even legitimately belligerent, one of them also is *destroyed*, the violated Treaties remain *extinct*, according to the authorities above cited, and not merely suspended until the old Treaties be revived by new ones. What new Treaty, in fact, considering the matter even in this last point of view, existed between the French Government and Pius VII, dethroned by it, and who died a prisoner in France? What new Treaty, for this object, did there exist between the French Government and Pius VII? None. And if a new Treaty had been concluded between them, it would be this last one, and not that of Tolentino, which would afterwards regulate the political relations between the Holy See and France.

The Holy Father now reigning was scarcely elevated to the Supreme Pontificate than he took, as he has done several times since, every opportunity of claiming the restitution of the Provinces which had been taken away by virtue of the Treaty of Tolentino, and of protesting more freely than Pius VII had been able to do, not less by reason of the *nullity* of that Treaty than on account of its *destruction* by the French Government itself. Thus the rights of the Holy See over those provinces remained still preserved and intact, and neither France, nor others under the pretended rights of France, could avail themselves of a title *null in itself* or assuredly *destroyed*.

The nullity or the destruction of this Treaty has been recognized by the Allied Powers themselves. When, in Article III of the Treaty of Paris, of the 30th of May, the question arose of preserving to France, Avignon and the County of Venaissin, far from alleging the Treaty of Tolentino, the Allied Powers thought fit to *insure* the possession of them to France, as the cited Article expresses it ; showing thereby that they did not consider the Treaty of Tolentino as sufficient to justify the incorporation with France of those two provinces of the Holy See. But this Treaty of Paris, concluded without any intervention of the Holy See, cannot prejudice its rights. If the Holy Father cannot see, without great sorrow, so considerable a portion of the property of the Holy See disposed of in this manner ; and if, by means of the Undersigned, he has made it the subject of his remonstrances in the notes presented at Paris, at London, and at Vienna, as well to the French Government in particular as to the Ministers of the Allied Powers and to the Congress in general, His Holiness cannot but entertain the supposition (as the Undersigned expressly declared in his last note of the 23rd of October) that either France would not keep those two countries to the injury of the legitimate Sovereign, or that the Holy See would be indemnified for them by a territorial compensation proportionate to the value of the provinces taken away ; a compensation, be it again said, decreed by that very same Assembly which had despoiled the Roman Church of them.

Such compensation not having taken place, His Holiness has the right either of obtaining it, or of being reinstated in the possession of those ancient domains of the Holy See. So far, his strictest duties impose upon the Holy Father the duty of preserving, according to the example of his predecessors, the rights of the Holy Apostolic See over those provinces.

The same reasons apply to the portion of the Legation of Ferrara situate on

the left of the Po, and which has been the property of the Holy See for so many ages. This portion of territory not having been again placed under his dominion cannot be excluded from his protest; but the religion and the piety of His Imperial and Royal Apostolic Majesty, and the proofs of kindness which the Holy Father has received from him, give His Holiness every reason to hope that in the proximity of the two States His Majesty may easily find the means of indemnifying the Holy See.

According to the resolutions entered into, Austria will have the right of placing garrisons in the fortresses of Ferrara and Comacchio, which are restored to the dominion of the Sovereign Pontiff. This measure is so diametrically opposed to the uncontrolled and independent Sovereignty of the Holy See, as well as to its system of neutrality, rendering it liable to hostilities, injuring, as it does, the rights of His Holiness, and obstructing the free exercise thereof, that the Undersigned finds himself under the necessity of formally protesting against it also.

The Undersigned flatters himself that these, his just protests, in the name of the Holy Father, having for object the securing the rights of the Holy Apostolic See, will produce the desired effect as regards the restitutions and compensations, as well as concerning the measures relative to the garrisons of Ferrara and Comacchio, of which mention has been made in this note.

In the meantime the undersigned Cardinal, conformably to the commands of His Holiness, and the example of the Legates of the Holy See accredited to different Congresses, and especially that of the Bishop of Narde, Fabio Chigi, at the Congress of Westphalia, has the honour of remitting to his Excellency, &c., Plenipotentiary at the Congress of Vienna, the hereunto annexed protest relative to the resolutions of Congress with respect to the temporal interests of the Holy See, begging that the same may be inserted in the Protocol.

The Undersigned, &c.

(Signed)

HERCULE CARDINAL CONSALVI.

To his Highness Prince Metternich.

Annex.

Protest in the name of His Holiness Pope Pius VII, and of the Holy Apostolic See, against all those things which, relatively to the Dominions of the same, have, at the Congress of Vienna, been either decreed or allowed to remain, to the injury of the said Holy See.

I, Hercules Gonsalvi, Cardinal of the Holy Roman Church, Deacon of the Suburban Church of Santa Agatha, Private Secretary of State of His Holiness Pope Pius VII, and Plenipotentiary of the same at the Congress of Vienna, do, by this my autograph, make known, that by the command of the Supreme Pontiff, and by virtue of the powers with which I am invested, I have used my utmost efforts with the Sovereigns and their Plenipotentiaries assembled at Vienna, in order that all those countries belonging to the Holy See, but the possession of which, in consequence of the well-known revolution begun in 1789, has several times been disturbed, should be restored. The remonstrances of His Holiness with respect to those countries, as well as the cogency of the arguments by which the rights of the Holy See are asserted, I have already set forth, both at Paris and London, and lately have exhibited the same more in detail at Vienna, in a memorial which I laid before Congress on the 23rd of October of the year 1814.

Amongst the other things decreed by that Congress, it was determined that the Marshes, together with Camerino, Benevento, and Ponte Corvo, and their appurtenances, should be restored to the Holy See, and also that the same Holy See should be again put in possession of the Provinces of Bologna, Ferrara, and Ravenna, known by the name of the "Three Legations," with the exception, however, of that part of the Province of Ferrara which is situated on the left bank of the Po. But as regards the other possessions of the Holy See hereafter-mentioned, as well as concerning the aforesaid part of the Province of Ferrara, belonging to the said Holy See, all of which possessions I required should either be restored, or that a fair indemnity for the same should be given, my remonstrances have not yet had the desired effect.

The Province of Avignon, the dominion of which was acquired by purchase, and was confirmed by a possession of five centuries, as well as the county of Venaissin, which from a still remoter period belonged to the Holy See, but of

which, together with Avignon, the Holy See had been despoiled in the year 1791, by a decree of the National Convention, but in which decree a law was introduced to the effect that since the right of the Holy See to those possessions was acknowledged and admitted, a compensation for the injury so done to it should be given : these countries, I repeat, which the French King Louis XIV generously promised to restore to the Roman Church, still remain in the power of France. Nor can either the Treaty of Tolentino, entered into in the year 1797, or the Treaty of Peace concluded at Paris in the year 1814, be pleaded as an excuse for the non-restoration of those provinces to the Holy See. For, as regards the Treaty of Tolentino, not only was that Treaty most indubitably affected, from the very beginning, by many of the vices of *nullity* which I have enumerated in my remonstrances ; but it was shortly afterwards, by the act and deed of the French Government itself, abrogated, or, in the very apposite language of jurisconsults, *extinguished*, and utterly *destroyed*, namely, then, when that same Government with whom that Treaty was made overthrew the temporal dominion of the Holy See, having taken forcible possession of, and appropriated to itself, the whole of the remaining territory belonging to the Pontificate, *for the sake of preserving which* the cession of those provinces had been made. With respect to the Treaty of Peace of Paris, it is clearly evident that, inasmuch as the Apostolic See was in no way or degree a party to the same, it cannot be bound thereby, nor can its rights be, in the least respect, injured by it.

The above-mentioned part, also, of the Province of Ferrara, situated on the left bank of the Po, and belonging to the Holy See, both by virtue of law itself, and by the legitimate title of many hundreds of years' possession, has not been restored to it, nor has any compensation been awarded, although all that has been before said concerning the Tolentino Treaty, as also respecting the Paris one, triumphantly shows that in no way can the firmly established rights of the Holy See in that region be shaken.

Lastly, it was agreed upon in Congress, that the most august Emperor of Austria, and his successors, should have the right of placing an Austrian garrison in Ferrara and Comacchio, to the prejudice of the supreme authority of the Holy See, as well as of its neutrality, and, at the same time, exposing it to the danger of those losses which, in the event of war, the Roman Church would, on that account, be exposed to.

Inasmuch as, by all these circumstances, serious loss and damage have accrued to the Holy See and the Roman Church, in order, therefore, that it may be known to all and every one not only that I refuse my assent and connivance thereto, but that I also resist and oppose them, following the example of the Legates of the aforesaid Roman Church who have assisted at similar Congresses, and especially of Fabio Chigi, Bishop of Narde, Apostolic Nuncio at the celebrated Congress of Münster, in Westphalia, who entered his solemn protest against the losses and injuries occasioned to the temporal interests of the Church, as well as to its spiritual rights, in like manner do I, against all those things which in this Congress of Vienna have either been decreed, or allowed to remain, and from which have resulted, or may result, loss and injury to the dominions, possessions, and rights of the Holy See in the before-mentioned countries, and, generally, against whatever other things may be prejudicial to the Church, in the name of the Holy Apostolic See, and of the Most Holy Father our Lord Pius VII, by divine providence Pope, openly, by these presents, and in the best possible manner, way, cause, and form, in my power, and in accordance with my duty, protest, resist, and contradict, and for insuring a fuller knowledge of all which things, and for making the same known to all absent persons, as well as to posterity, I have signed this protest with my own hand, and have hereunto affixed my seal, earnestly requesting, moreover, that the same may be inserted in the Protocol of the Acts of this Congress.

Done at Vienna, from the Hotel of the Apostolic Legation, the 12th of June, in the year 1815.

(L.S.)

(Signed)

HERCULES CARDINAL CONSALVI,
Private State Secretary of His Holiness, and Plenipotentiary
of the same at the Congress of Vienna.

No. 4.

[Purport of Treaty between Austria and Sicily, dated June (July) 12, 1815.]

Sir William A'Court to Viscount Castlereagh.

(Extract.)

Naples, July 18, 1815.

M. DE CIRCELLO has this morning communicated to me the Treaty to which I alluded in my last despatch. It is purely defensive, and has no object whatever beyond the limits of Italy. The Emperor of Austria and the King of the Two Sicilies mutually guarantee to each other the integrity of their respective dominions. They agree to consider as a common enemy any Power which may attempt to trouble the tranquillity of Italy, and in case of hostilities to furnish a force of 105,000 men (viz., Austria 80,000, and His Sicilian Majesty 25,000) in support of the objects of the present alliance. In case of absolute need, they agree to employ the whole of their respective forces for this purpose, and not to conclude peace nor truce but in conjunction with each other. This Treaty was signed at Vienna on the 12th of June (July).

There are two Secret Articles. The first stipulates that neither parties shall form engagements with any third Power which may militate against the provisions of the present Treaty. By the second, His Sicilian Majesty engages to govern his Italian dominions according to the ancient monarchical establishments, and not to admit any innovations irreconcilable with the principles adopted by His Imperial Majesty in the government of his Italian States.

No. 5.

Treaty between Austria and Tuscany, dated June 12, 1815.

Au Nom de la Très-Sainte et Indivisible Trinité.

SA Majesté l'Empereur d'Autriche, et Son Altesse Impériale et Royale le Grand Duc de Toscane, animés d'un égal désir d'assurer par des rapports plus intimes entr'elles la tranquillité de leurs possessions, et la paix extérieure et intérieure de l'Italie, sont convenus de conclure entr'elles un Traité d'amitié, d'union, et d'alliance défensive, dont l'objet permanent est de pourvoir tant à la tranquillité intérieure de l'Italie qu'à la sûreté extérieure.

Dans cette vue, et pour parvenir à un but si salutaire, elles ont donné leurs pleins-pouvoirs, savoir :

Sa Majesté Impériale et Royale Apostolique au Sieur Clément-Venceslas-Lothaire Prince de Metternich-Winnebourg-Ochsenhausen, &c., son premier Plénipotentiaire au Congrès ;

Et Son Altesse Impériale et Royale au Prince Néri Corsini, &c., son Plénipotentiaire au Congrès :—

ARTICLE I.

Sa Majesté l'Empereur d'Autriche, et Son Altesse Impériale et Royale le Grand Duc de Toscane, déclarent, qu'en vertu de l'union qu'elles contractent par le présent Traité, il y aura, à dater de ce jour, entr'elles une alliance qui aura pour but la défense de leurs Etats respectifs, et le maintien du repos extérieur et intérieur de l'Italie.

ARTICLE II.

Sa Majesté Impériale et Royale Apostolique, et Son Altesse Impériale et Royale le Grand Duc de Toscane, se garantissent réciproquement, de la manière la plus absolue, tous les Etats qu'elles possèdent en Italie suivant les stipulations du Traité Général de Vienne.

ARTICLE III.

Dans tous les cas où la presque-île de l'Italie sera menacée d'une guerre, les deux Hautes Parties Contractantes emploieront, après s'être concertées à ce sujet, leurs bons offices pour empêcher cette guerre ; si néanmoins leurs soins restent infructueux, elles déclarent dès maintenant, pour lors, qu'elles regarderont toute attaque ou toute agression imminente contre leurs possessions respectives en Italie, comme propre et personnelle à l'autre.

ARTICLE IV.

Quoique la garantie mutuelle de leur état de possession en Italie, à laquelle Sa Majesté l'Empereur d'Autriche et Son Altesse Impériale et Royale le Grand Duc de Toscane s'engagent, doive être soutenue de toute leur puissance, et que Sa Majesté Impériale et Son Altesse Impériale et Royale l'entendent ainsi, d'après le principe qui est le fondement de ce Traité, que qui attaque les possessions d'un des Etats, attaque l'autre, cependant les Hautes Parties Contractantes ont jugé à propos de fixer les forces qu'elles seront tenues de fournir dans toute guerre où le repos de l'Italie est mis en danger. Sa Majesté Impériale s'engage à fournir à cet effet, pour le moins, 80,000 combattants de toute arme, et Son Altesse Impériale et Royale au moins 6,000 hommes de toute arme.

ARTICLE V.

Les deux Parties Contractantes s'engagent réciproquement à entretenir constamment en bon état les places fortes, qui servent à assurer le système de défense extérieure de l'Italie. Ces places seront plus particulièrement désignées.

ARTICLE VI.

Elles conviendront immédiatement des bases d'un système commun de défense. Une Convention particulière réglera les rapports dans lesquels seront placées les troupes de Son Altesse Impériale et Royale le Grand Duc, sous le commandement du Général-en-chef de l'armée Autrichienne, de même que les mesures de subsistance et d'approvisionnement.

ARTICLE VII.

Sa Majesté l'Empereur et Son Altesse Impériale et Royale le Grand Duc s'engagent, et se promettent, pour le cas où elles se trouveront en guerre pour la défense de l'Italie, de n'écouter ni faire aucune proposition de trêve ni de paix ; de ne la traiter ni conclure avec l'ennemi ou les ennemis qu'elles auront, que d'un commun accord, et de se communiquer réciproquement tout ce qui pourrait venir à leur connaissance qui intéresserait la sûreté de l'Italie, ou la tranquillité de leurs possessions respectives.

ARTICLE VIII.

Le présent Traité sera ratifié, et les ratifications en seront échangées dans le terme de six semaines, ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs l'ont signé et y ont apposé le cachet de leurs armes.

Fait à Vienne, le 12 Juin de l'an de grace 1815.

LE PRINCE DE METTERNICH.
(L.S.)

LE PRINCE CORSINI.
(L.S.)

(Translation.)

In the Name of the Most Holy and Indivisible Trinity.

HIS Majesty the Emperor of Austria, and His Imperial and Royal Highness the Grand Duke of Tuscany, animated with an equal desire of insuring, by more intimate relations between each other, the tranquillity of their Possessions, and the internal and external tranquillity of Italy, have agreed to conclude a Treaty of Friendship, Union, and Defensive Alliance, the permanent object of which is to provide as well for the internal tranquillity of Italy, as for external security.

With that object, and in order to arrive at so desirable a result, they have given their full powers, namely :

His Imperial and Royal Apostolic Majesty to the Sieur Clement-Venceslas-Lothaire, Prince of Metternich-Winnebourg-Ochsenhausen, &c., his first Plenipotentiary to the Congress ;

And His Imperial and Royal Highness to Prince Neri Corsini, &c., his Plenipotentiary to the Congress :—

ARTICLE I.

His Majesty the Emperor of Austria and His Imperial and Royal Highness
E

the Grand Duke of Tuscany declare that, in virtue of the union which they contract by the present Treaty, there shall from henceforth exist between them an alliance, having for its object the defence of their respective States and the maintenance of the external and internal tranquillity of Italy.

ARTICLE II.

His Imperial Royal and Apostolic Majesty and His Imperial and Royal Highness the Grand Duke of Tuscany reciprocally guarantee to each other, in the most absolute manner, all the States which they possess in Italy, conformably to the stipulations of the General Treaty of Vienna.

ARTICLE III.

On every occasion in which the Italian Peninsula shall be threatened with war, the two High Contracting Powers, after concerting previously together, shall exert their good offices to prevent that war; should, however, their efforts be of no avail, they now declare, once for all, that they will consider any attack, or any threatened aggression, on their respective possessions in Italy, as being also actually and personally directed against that of the other.

ARTICLE IV.

Although the mutual guarantee of their possessions in Italy, to which His Imperial Majesty the Emperor of Austria and His Imperial and Royal Highness the Grand Duke of Tuscany bind themselves, must be maintained by all the means at their disposal, and His Imperial Majesty and His Imperial and Royal Highness consider it in the light that, in accordance with the principle which is the basis of this Treaty, whoever attacks the possessions of one of the States attacks the other also, the High Contracting Parties have, nevertheless, thought it advisable to fix the number of troops they are bound to provide in any war likely to compromise the peace of Italy. His Imperial Majesty engages to furnish for that object at least 80,000 men of all arms; and His Imperial and Royal Highness at least 6,000 men of all arms.

ARTICLE V.

The two Contracting Parties mutually agree constantly to keep up, in good condition, the fortified places which serve to insure the system of external defence of Italy. Those places shall be more specially designated.

ARTICLE VI.

They will immediately agree upon the bases of a common system of defence. A special Convention shall regulate the relations in which the troops of His Imperial and Royal Highness the Grand Duke shall be placed under the command of the General-in-chief of the Austrian army, as well as the measures for their subsistence and victualling.

ARTICLE VII.

His Majesty the Emperor and His Imperial and Royal Highness the Grand Duke engage and promise, in case they should find themselves in a war for the defence of Italy, not to make or listen to any proposition for a truce or peace; not to negotiate or conclude one with the enemy or enemies they may have, without having first come to a mutual agreement, and reciprocally to communicate to each other everything which might come to their knowledge, which would interest the safety of Italy, or the tranquillity of their respective possessions.

ARTICLE VIII.

The present Treaty shall be ratified, and the ratifications shall be exchanged within six weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Vienna, the 12th of June, 1815.

PRINCE DE METTERNICH.
(L.S.)

PRINCE CORSINI.
(L.S.)

Treaty between Great Britain, Austria, France, Prussia, Russia, and Spain, relative to the Duchies of Parma, Placentia, and Guastalla, signed at Paris, June 10, 1817.

Au Nom de la Très Sainte et Indivisible Trinité.

AYANT reconnu que le motif qui a porté Sa Majesté Catholique à différer son accession au Traité signé en Congrès à Vienne, le 9 Juin, 1815, ainsi qu'à celui de Paris du 20 Novembre de la dite année, consistait dans le désir de voir fixer, par le consentement unanime des Puissances qui y étaient appelés, l'application de l'Article XCIX du dit Traité du 9 Juin, et en conséquence de la réversion des Duchés de Parme, Plaisance, et Guastalla, après le décès de Sa Majesté l'Archiduchesse Marie Louise ;

Que l'adhésion susmentionnée était nécessaire pour compléter l'assentiment général aux transactions sur lesquelles les intérêts politiques et la paix de l'Europe sont principalement fondés ;

Que Sa Majesté Catholique, persuadée de cette vérité, et animée des mêmes principes que ses augustes alliés, s'est décidée, de sa pleine volonté, à donner son accession au dit Traité, en vertu d'actes solennels signés à cet effet le 7 et le 8 Juin, 1817, et ayant été en conséquence jugé convenable de satisfaire en même temps aux demandes de Sa Majesté Catholique qui concernent la réversion des dits Duchés, d'une manière propre à contribuer encore davantage à l'affermissement de la paix et de la bonne intelligence heureusement rétablies et existantes en Europe ; leurs Majestés Impériales et Royales de la Grande Bretagne, d'Autriche, d'Espagne, de France, de Prusse, et de Russie, ont nommé à cet effet, savoir :

Sa Majesté le Roi du Royaume Uni de la Grande Bretagne et d'Irlande, le Sieur Charles Stuart, Grand-Croix du Très Honorable Ordre du Bain, et de l'Ancien Ordre de la Tour et l'Epée, Son Conseiller intime actuel, &c., et Son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté Très Chrétienne ;

Sa Majesté l'Empereur d'Autriche, Roi de Hongrie et de Bohême, le Sieur Nicholas Charles Baron de Vincent, Commandeur de l'Ordre Militaire de Marie Thérèse, Grand-Croix de l'Ordre Impérial de Léopold et de l'Ordre de l'Epée de Suède, Chevalier Grand-Croix de l'Ordre Militaire du Royaume des Pays-Bas, Commandeur de l'Ordre Royal et Militaire de Saint Louis, Son Chambellan, Conseiller intime actuel, Lieutenant-Général de ses Armées, Colonel Propriétaire d'un Régiment de Chevaux-Légers, &c., Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Très Chrétienne ;

Sa Majesté le Roi d'Espagne et des Indes, le Sieur Charles Gutierrez de los Rios, Fernandez de Cordoba, Sarmiento de Sotto Mayor, &c., Comte de Fernan Nuñez, et de Barajaz, Marquis de Castel Moncayo, Duc de Montellano, de l'Arco et d'Aremberg, Prince de Barbanzon et du Saint Empire Romain, &c., cinq fois Grand d'Espagne de première classe, Chevalier de l'insigne Ordre de la Toison d'Or, et Grand-Croix de l'Ordre de Charles III, Son Gentilhomme de la Chambre en exercice, Son Grand Veneur, Colonel du Régiment d'Hussards de Ferdinand III, &c., Son Ambassadeur près Sa Majesté Très Chrétienne ;

Sa Majesté le Roi de France et de Navarre, le Sieur Armand Emmanuel du Plessis Richelieu, Duc de Richelieu, Chevalier de l'Ordre Royal et Militaire de Saint Louis, et des Ordres de Saint Alexandre Newsky, Saint Wladimir, et Saint Georges de Russie, Pair de France, Son Premier Gentilhomme de la Chambre, Son Ministre et Secrétaire d'Etat des Affaires Etrangères, et Président du Conseil de ses Ministres ;

Sa Majesté le Roi de Prusse, le Sieur Charles Frédéric Henri, Comte de Goltz, Chevalier de la Croix de Fer de la première classe, et de l'Ordre pour le Mérite Militaire de Prusse, Grand-Croix de l'Ordre de Sainte Anne, Chevalier de l'Ordre de Saint Georges de la quatrième classe, et de l'Ordre de Saint Wladimir de la troisième classe de Russie, Commandeur de l'Ordre du Mérite Militaire de France, Chevalier de l'Ordre Militaire de Marie Thérèse d'Autriche, de celui de l'Epée de Suède, et de celui du Mérite Militaire de Bavière, Son Général-Major, Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Très Chrétienne ;

Sa Majesté l'Empereur de Toutes les Russies, Roi de Pologne, le Sieur Charles André Pozzo di Borgo, Chevalier Grand-Croix de l'Ordre de Saint Wladimir de la seconde classe, de Sainte Anne de la première, de Saint Georges de la quatrième, Grand Croix de l'Ordre de Charles III d'Espagne, de celui de Saint Maurice et Lazare de

Sardaigne, de Saint Ferdinand de Naples, de l'Aigle Rouge de Prusse, et de l'Ordre des Guelphes d'Hanovre, Commandeur de l'Ordre Royal et Militaire de Saint Louis, Lieutenant-Général de ses Armées, Son Aide-de-camp Général, &c., et Son Ministre Plénipotentiaire près Sa Majesté Très Chrétienne :

Lesquels, après avoir échangé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

ARTICLE I.

L'état de possession actuel des Duchés de Parme, Plaisance, et Guastalla, ainsi que celui de la Principauté de Lucques, étant déterminé par les stipulations de l'Acte du Congrès de Vienne, les dispositions des Articles XCIX, CI, et CII, sont et restent maintenues dans toute leur force et valeur.

ARTICLE II.

La réversibilité des Duchés de Parme, Plaisance, et Guastalla, prévue par l'Article XCIX de l'Acte Final du Congrès de Vienne, est déterminée de la manière suivante.

ARTICLE III.

Les Duchés de Parme, Plaisance, et Guastalla, après le décès de Sa Majesté l'Archiduchesse Marie Louise, passeront en toute souveraineté à Sa Majesté l'Infante d'Espagne, Marie Louise, l'Infant Don Charles Louis, son fils, et ses descendants mâles, en ligne directe et masculine, à l'exception des districts enclavés dans les Etats de Sa Majesté Impériale et Royale Apostolique sur la rive gauche du Pô, lesquels resteront en toute propriété à Sa dite Majesté, conformément à la restriction établie par l'Article XCIX de l'Acte du Congrès.

ARTICLE IV.

A cette même époque, la réversibilité de la Principauté de Lucques, prévue par l'Article CII de l'Acte du Congrès de Vienne, aura lieu dans les termes et sous les clauses du même Article, en faveur de Son Altesse Impériale et Royale le Grand Duc de Toscane.

ARTICLE V.

Quoique la frontière des Etats Autrichiens en Italie soit déterminée par la ligne du Pô, il est toutefois convenu d'un commun accord, que la forteresse de Plaisance, offrant un intérêt particulier au système de défense de l'Italie, Sa Majesté Impériale et Royale Apostolique conservera dans cette ville, jusqu'à l'époque des réversions après l'extinction de la branche Espagnole des Bourbons, le droit de garnison pur et simple; tous les droits régaliens et civils sur cette ville étant réservés au Souverain futur de Parme. Les frais et l'entretien de la garnison dans la ville de Plaisance seront à la charge de l'Autriche, et sa force en temps de paix sera déterminée à l'amiable entre les Hautes Parties intéressées, en prenant toutefois pour règle, le plus grand soulagement possible des habitants.

ARTICLE VI.

Sa Majesté Impériale et Royale Apostolique s'engage à payer à Sa Majesté l'Infante Marie Louise, les sommes arriérées depuis le 9 Juin, 1815, et provenant des stipulations du § 2 de l'Article CI de l'Acte du Congrès, et d'en continuer le paiement selon les mêmes stipulations et avec les mêmes hypothèques. Elle s'engage en outre à faire payer à Sa Majesté l'Infante, le montant des revenus perçus dans la Principauté de Lucques, depuis la même époque jusqu'au moment de l'entrée en possession de Sa Majesté l'Infante; déduction faite des frais d'administration. La liquidation de ces revenus aura lieu à l'amiable entre les Hautes Parties intéressées, et dans le cas de différence d'opinion, elles s'en rapporteront à l'arbitrage de Sa Majesté Très Chrétienne.

ARTICLE VII.

La réversion des Duchés de Parme, Plaisance, et Guastalla, en cas d'extinction de la branche de l'Infant Don Charles Louis, est explicitement maintenu dans les

termes du Traité d'Aix-la-Chapelle de 1748, et de l'Article Séparé du Traité entre l'Autriche et la Sardaigne, du 20 Mai, 1815.

ARTICLE VIII.

Le présent Traité, expédié en septuple, sera joint à l'Article Supplémentaire du Traité Général du Congrès de Vienne: il sera ratifié par les Hautes Parties respectives, et les ratifications en seront échangées à Paris dans l'espace de deux mois, ou plutôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé, et y ont apposé le cachet de leurs armes.

Fait à Paris, le 10 du mois de Juin, l'an de grâce 1817.

(L.S.)	CHARLES STUART.
(L.S.)	LE BARON DE VINCENT.
(L.S.)	LE COMTE DE FERNAN NUNEZ, Duc de Montellano.
(L.S.)	RICHELIEU.
(L.S.)	F. C ^{TE} . DE GOLTZ.
(L.S.)	POZZO DI BORGO.

(Translation.)

In the Name of the Most Holy and Indivisible Trinity.

CONSIDERING that the motive which induced His Catholic Majesty to defer his accession to the Treaty signed at the Congress of Vienna, the 9th of June, 1815, as well as to that of Paris of the 20th of November of the same year, was the desire that the Powers called thither would unanimously decide on the application of Article XCIX of the said Treaty of the 9th of June, and, consequently, on the reversion of the Duchies of Parma, Placentia, and Guastalla, after the decease of Her Majesty the Archduchess Maria Louisa;

That the above-mentioned accession was necessary for completing the general assent to the transactions on which are principally founded the political interests and the peace of Europe;

That His Catholic Majesty, convinced of this truth, and animated by the same principles with his august allies, has, of his own free will, resolved to give his accession to the said Treaty, in virtue of the solemn Acts signed to that effect on the 7th and 8th of June, 1817; and it having accordingly been judged proper to satisfy, at the same time, the demands of His Catholic Majesty concerning the reversion of the said Duchies, in such a manner as might still further contribute towards the consolidation of the peace and good understanding happily re-established and subsisting in Europe; Their Imperial and Royal Majesties of Great Britain, Austria, Spain, France, Prussia, and Russia, have appointed to this effect, namely;

His Majesty the King of the United Kingdom of Great Britain and Ireland, Sir Charles Stuart, Grand Cross of the Most Honourable Order of the Bath, and of the ancient Order of the Tower and Sword, one of His Privy Councillors, &c., and His Ambassador Extraordinary and Plenipotentiary to His Most Christian Majesty;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Nicholas Charles Baron de Vincent, Commander of the Military Order of Maria Theresa, Grand Cross of the Imperial Order of Leopold, and of the Swedish Order of the Sword, Knight Grand Cross of the Military Order of the Kingdom of the Netherlands, Commander of the Royal and Military Order of St. Louis, His Chamberlain, Acting Councillor, Lieutenant-General of His Armies, Colonel and Proprietor of a Regiment of Light Horse, &c., and His Envoy Extraordinary and Minister Plenipotentiary to His Most Christian Majesty;

His Majesty the King of Spain and of the Indies, the Sieur Charles Gutierrez de los Rios, Fernandez de Cordoba, Sarmiento de Sotto Mayor, &c., Count de Fernan Nuñez, and of Barajaz, Marquess of Castel Moncayo, Duke of Montellano, of Arco and of Aremberg, Prince of Barbanzon and of the Holy Roman Empire, &c., five times Grandee of Spain of the First Class, Knight of the distinguished Order of the Golden Fleece, and Grand Cross of the Order of Charles III, His Acting Gentleman of the Bedchamber, His Grand Veneur, Colonel of the Regiment of Hussars of Ferdinand VII, &c., His Ambassador to His Most Christian Majesty;

His Majesty the King of France and Navarre, the Sieur Armand Emmanuel du Plessis Richelieu, Duke of Richelieu, Knight of the Royal and Military Order of St. Louis, and of the Orders of St. Alexander Newsky, St. Wladimir, and St. George of Russia, Peer of France, his First Gentleman of the Bedchamber, His Minister and Secretary of State for Foreign Affairs, and President of the Council of His Ministers;

His Majesty the King of Prussia, the Sieur Charles Frederick Henry, Count de Goltz, Knight of the Iron Cross of the first class, and of the Prussian Order for Military Merit, Grand Cross of the Order of St. Anne, Knight of the Order of St. George of the fourth class, and of the Order of St. Wladimir of the Third Class of Russia, Commander of the French Order of Military Merit, Knight of the Austrian Military Order of Maria Theresa, of the Swedish Order of the Sword, of the Bavarian Order of Military Merit, His Major-General, Envoy Extraordinary and Minister Plenipotentiary to His Most Christian Majesty;

His Majesty the Emperor of all the Russias, King of Poland, the Sieur Charles André Pozzo di Borgo, Knight Grand Cross of the Order of St. Wladimir of the second class, of St. Anne of the first, of St. George of the fourth, Grand Cross of the Spanish Order of Charles III, of that of St. Maurice and Lazarus of Sardinia, of St. Ferdinand of Naples, of the Red Eagle of Prussia, and of the Hanoverian Order of the Guelphs, Commander of the Royal and Military Order of St. Louis, Lieutenant-General of His Armies, His Aide-de-camp General, &c., and His Minister Plenipotentiary to His Most Christian Majesty;

Who, after exchanging their full powers, found in good and due form, have agreed on the following Articles:—

ARTICLE I.

The present state of possession of the Duchies of Parma, Placentia, and Guastalla, as well as that of the Principality of Lucca, being fixed by the stipulations of the Act of the Congress of Vienna, the dispositions contained in Articles XCIX, CI, and CII are, and remain, in their full force and validity.

ARTICLE II.

The reversion of the Duchies of Parma, Placentia, and Guastalla, referred to in Article XCIX of the Final Act of the Congress of Vienna, is settled in the following manner.

ARTICLE III.

The Duchies of Parma, Placentia, and Guastalla shall, after the decease of Her Majesty the Archduchess Maria Louisa, devolve, in full sovereignty, to Her Majesty the Infanta of Spain, Maria Louisa, to the Infant Don Charles Louis, her son, and to his descendants in the direct male line, with the exception of the districts situated within the dominions of His Imperial and Royal Apostolic Majesty on the left bank of the Po, [the full property of which shall remain to Her said Majesty, conformably to the restriction laid down in Article XCIX of the Act of Congress.

ARTICLE IV.

At the same period, the reversion of the Principality of Lucca, referred to in Article CII of the Act of the Congress of Vienna, shall be carried into effect on the conditions, and according to the provisions, of the same Article, in favour of His Imperial and Royal Highness the Grand Duke of Tuscany.

ARTICLE V.

Although the frontier of the Austrian States in Italy be fixed by the course of the River Po, it is, nevertheless, unanimously agreed that, as the fortress of Placentia is an object of essential interest to the defensive system of Italy, His Imperial and Royal Apostolic Majesty shall (until the reversions consequent on the extinction of the Spanish line of the Bourbons shall take place) continue to enjoy in that city the pure and simple right of garrison, while all the Crown and civil rights over the same city shall be reserved to the future Sovereign of Parma. The expense of maintaining the garrison in the city of Placentia shall be at the charge of Austria; and its force, in time of peace, shall be amicably settled among the

High Parties concerned, who shall make it the rule of their conduct to consult, as much as possible, the comforts of the inhabitants.

ARTICLE VI.

His Imperial and Royal Apostolic Majesty engages to pay to Her Majesty the Infanta Maria Louisa, the arrears due from the 9th of June, 1815, pursuant to the stipulations of § 2 of Article CI of the Act of Congress, and to continue the discharge of it, according to the same stipulations and on the same securities. His Majesty engages, besides, to cause to be paid to Her Majesty the Infanta, the amount of the revenues collected since the period in question up to the moment that Her Majesty the Infanta entered on the possession, deducting therefrom the charges of administration. The liquidation of these revenues shall be effected in an amicable manner between the High Parties interested; and in case of any difference of opinion, they shall have recourse to the arbitration of His Most Christian Majesty.

ARTICLE VII.

The reversion of the Duchies of Parma, Placentia, and Guastalla, in the event of the line of the Infant Don Charles Louis becoming extinct, is clearly understood to remain on the footing agreed to in the Treaty of Aix-la-Chapelle of 1748, and in the Separate Article of the Treaty concluded between Austria and Sardinia, of May 20, 1815.*

ARTICLE VIII.

The present Treaty, of which seven copies have been signed, shall be annexed to the Supplementary Article of the General Treaty of the Congress of Vienna; and shall be ratified by the High Parties respectively, and the ratifications of it shall be exchanged at Paris in the space of two months, or sooner if possible.

In testimony of which the respective Plenipotentiaries have signed it, and affixed thereto the seals of their arms.

Done at Paris, the 10th of June, in the year of Lord 1817.

(L.S.)	CHARLES STUART.
(L.S.)	THE BARON DE VINCENT.
(L.S.)	COUNT FERNAN NUNEZ, Duke of Montellano.
(L.S.)	RICHELIEU.
(L.S.)	F. COUNT DE GOLTZ.
(L.S.)	POZZO DI BORGO.

Treaty of Aix-la-Chapelle, 1748, referred to in Article VII of the preceding Treaty.

(Translation.)

(Extract.)

Definitive Treaty of Peace and Friendship between His Britannic Majesty, the Most Christian King, and the States-General of the United Provinces; concluded at Aix-la-Chapelle the 18th day of October (N.S.), 1748; to which the Empress Queen of Hungary, the Kings of Spain and Sardinia, the Duke of Modena, and the Republic of Genoa, have acceded.

ARTICLE VII.

In consideration of the restitutions that His Most Christian Majesty, and His Catholic Majesty, make, by the present Treaty, either to Her Majesty the Queen of Hungary and Bohemia, or to His Majesty the King of Sardinia, the Duchies of Parma, Placentia, and Guastalla shall for the future belong to the most Serene Infant Don Philip, to be possessed by him and his male descendants born in lawful marriage, in the same manner and in the same extent as they have been, or ought to be, possessed by the present possessors; and the said Most Serene Infant, or his male descendants, shall enjoy the said three Duchies, conformably and under the conditions expressed in the Acts of Cession, of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia.

These Acts of Cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia, shall be delivered, together with their ratifications of the present Treaty, to the Ambassador Extraordinary and Plenipotentiary of the Catholic King, in like manner as the Ambassadors Extraordinary and Plenipotentiaries of the Most Christian King, and Catholic King, shall deliver, with the ratifications of their Majesties, to the Ambassador Extraordinary and Plenipotentiary of the King of Sardinia, the orders to the Generals of the French and Spanish troops to restore Savoy and the County of Nice to the persons appointed by that Prince to receive them; so that the restitution of the said States, and the taking possession of the Duchies of Parma, Placentia, and Guastalla, by or in the name of the Most Serene Infant Don Philip, may be effected within the same time, conformably to the Acts of Cession, the tenour whereof follows:—

Act of Cession of the Empress Queen of Hungary and Bohemia, 1748.

We, Maria Theresa, &c., make known by these presents:—

Whereas, in order to put an end to the fatal war, certain preliminary Articles were agreed upon, on the 30th of April of this year, between the Ministers Plenipotentiary of the Most Serene and most Potent Prince George II, King of Great Britain, and the Most Serene and most Potent Prince Louis XV, the most Christian King, and their High Mightinesses the States-General of the United Provinces, which have been since ratified by all the Powers concerned; the tenor of Article IV whereof is conceived in the following manner:—

“ARTICLE IV.

“The Duchies of Parma, Placentia, and Guastalla, shall be yielded to the Most Serene Infant Don Philip, to serve him as an establishment, with the right of reversion to the present possessors, after that His Majesty the King of the Two Sicilies shall have succeeded to the Crown of Spain; as also in case the said Most Serene Infant Don Philip should happen to die without children.”

And whereas a Definitive Treaty of Peace having since been concluded, the several points relating to this affair have been, by virtue of the Articles thereof, explained by the common consent of the parties concerned, in the following manner:

“In consideration of the restitutions that His Most Christian Majesty and His Catholic Majesty make, by the present Treaty, either to Her Majesty the Queen of Hungary and Bohemia, or to His Majesty the King of Sardinia, the Duchies of Parma, Placentia, and Guastalla shall, for the future, belong to the Most Serene Infant Don Philip, to be possessed by him, and his male descendants born in lawful marriage, in the same manner and in the same extent as they have been or ought to be possessed by the present possessors; and the said Most Serene Infant, or his male descendants, shall occupy the said three Duchies conformably and under the conditions expressed in the Acts of Cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia.

“These Acts of Cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia, shall be delivered, together with their ratifications of the present Treaty, to the Ambassador Extraordinary and Plenipotentiary of the Catholic King, in like manner as the Ambassadors Extraordinary and Plenipotentiaries of the Most Christian King and Catholic King shall deliver, with the ratifications of their Majesties, to the Ambassadors Extraordinary and Plenipotentiaries of the King of Sardinia, the orders to the Generals of the French and Spanish troops, to restore Savoy and the County of Nice to the persons appointed by that Prince to receive them; so that the restitution of the said States, and the taking possession of the Duchies of Parma, Placentia, and Guastalla, by or in the name of the Most Serene Infant Don Philip, may be effected in the same time, and conformably to the said Acts of Cession.”

Wherefore, in order to fulfil those things to which we have bound ourselves by the Articles before inserted, and in the firm hope that the Most Christian and Catholic Kings, and the future possessor of the aforesaid three Duchies, and his male descendants, will, on their part, *bond fide* and punctually, fulfil the tenour of the Articles above mentioned, and will likewise restore to us, within the same time, the States and places which are to be restored to us in consequence of Articles II and XVIII of the same Preliminaries; We do yield and renounce, for us and our

successors, under the conditions expressed in the above-mentioned Articles, all rights, claims, and pretensions to us under any title or cause whatsoever belonging, upon the aforesaid three Duchies of Parma, Placentia, and Guastalla, formerly possessed by us; and transfer the same rights, claims, and pretensions, in the best and most solemn manner possible, to the Most Serene Don Philip, Infant of Spain, and his male descendants to be born in lawful marriage, absolving all the inhabitants of the said Duchies from the allegiance and oath which they have taken to us, who shall be obliged for the future to pay the same allegiance to those to whom we have yielded our rights; all which, however, is to be understood only for that space of time that either the said Most Serene Infant Don Philip, or one of his descendants, shall not have ascended either the Throne of the Two Sicilies or of Spain; for at that time, and in case the aforesaid Infant should die without male descendants, we expressly reserve to ourselves, our heirs and successors, all rights, claims, and pretensions, which have heretofore belonged to us, and consequently the right of reversion to the said Duchies.

In witness whereof, &c.

(Signed) MARIA THERESA.

Act of Cession of the King of Sardinia, 1748.

(Translation.)

CHARLES EMANUEL, &c. The desire we have to contribute, on our part, to the most speedy re-establishment of the public tranquillity, which lately induced us to accede to the Preliminary Articles signed the 30th of April last, between the Ministers of His Britannic Majesty, His Most Christian Majesty, and the Lords the States-General of the United Provinces, which we did, on the 31st of May last, by our Plenipotentiary, accordingly accede to, inducing us now to accomplish as much as is to be performed on our part in pursuance of them; and particularly for the execution of what is contained in Article IV of the said Preliminaries, by virtue whereof the Duchies of Parma, Placentia, and Guastalla are to be yielded to the Most Serene Prince Don Philip, Infant of Spain, to hold, as an establishment, with the right of reversion to the present possessors, as soon as His Majesty the King of the Two Sicilies shall have succeeded to the Crown of Spain, or that the said Infant should happen to die without male issue: We, in conformity thereto, do, by the present Act, renounce, yield, and transfer, for ourselves and our successors, to the aforesaid Most Serene Infant Don Philip, and to his male issue and their descendants, born in lawful marriage, the town of Placentia, and the Plaisantine (whereof we were possessed), to be held and possessed by him as Duke of Placentia; renouncing to this end all rights, claims, and pretensions, which we have upon them; reserving, however, expressly to us and our successors the right of reversion in the cases above mentioned.

In witness whereof, &c.

(Signed) CHARLES EMANUEL.

No. 7.

Treaty between Lucca, Modena, Tuscany, Austria, and Sardinia, signed at Florence, November 28, 1844.

In nome della Santissima e Indivisibile Trinità.

SUA Altezza Reale l'Infante di Spagna, Duca attuale di Lucca, futuro Duca di Parma, Piacenza e Guastalla;

Sua Altezza Reale l'Arciduca d'Austria, Duca di Modena;

Sua Altezza Imperiale e Reale l'Arciduca d'Austria, Granduca di Toscana;

Avendo riconosciuto unanimemente che la linea di frontiera di una parte dei loro Stati rispettivi è intralciata e suscettibile di facili miglioramenti reciproci all'epoca fissata dal Congresso di Vienna per le varie reversioni ad essi stabilite;

Che non si possono altrimenti togliere gl'inconvenienti di quella frontiera, fuorchè con un cambio di piccole porzioni ora isolate di territorj loro;

Che la facoltà di operare tali cambj all'amichevole è stata anche espressamente

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riservata alle parti interessate dall' Articolo XCVIII dell' Atto del Congresso di Vienna, ma che non potrebbero altrimenti aver luogo se Sua Maestà Imperiale e Reale Apostolica e Sua Maestà il Rè di Sardegna non acconsentissero ad una modificazione di diritti di reversione, derivanti rispettivamente per esse dal Trattato di Aquisgrana del 1748, e da quello che fu conchiuso il 20 Maggio, 1815, fra l'Austria e la Sardegna, i quali diritti si trovano espressamente menzionati nell' Atto del Congresso di Vienna, e confermati dal Trattato di Parigi, 10 Giugno, 1817.

I tre Sovrani si sono a tale effetto indirizzati alle prefate Maestà Loro; e

Sua Maestà Imperiale e Reale Apostolica riconoscendo l'utilità di una migliore confinazione, animata d'altronde dal desiderio intenso di contribuire anche con un sacrificio dal suo lato ad un' opera tanto reclamata dall' interesse dei Sovrani dei tre Stati summenzionati, giudicò che meglio perverrebbe allo scopo ove si aprissero apposite Trattative in Firenze;

E Sua Maestà il Rè di Sardegna tenendo non meno a cuore di dare ai Sovrani di Lucca, Modena, e Toscana, le maggiori dimostrazioni di confidenza e di amicizia, avendo pur essa acconsentito a partecipare alle trattative, le Alte Potenze Contraenti hanno nominato loro Plenipotenziarj, cioè:

Sua Maestà Imperiale e Reale Apostolica, il Cavaliere Camillo Vacani di Fort' Olivo, Generale Maggiore al Corpo del Genio nel suo Esercito, Cavaliere degli Ordini Reali della Corona Ferrea, della Legion d'Onore di Francia, e di Carlo III di Spagna, e Imperiali Russi di Sant' Anna, seconda classe, e San Wladimiro terza classe;

Sua Altezza Reale l'Infanta Duca attuale di Lucca, futuro Duca di Parma, Piacenza e Guastalla, il Consigliere di Stato Avvocato Antonio Raffaelli, decorato della Croce di S. Lodovico di prima classe pel Merito Civile, Presidente di Grazia e Giustizia, Direttore Generale di Polizia, Forza armata, e delle Regie Poste, incaricato del portafoglio del Ministero degli Affari Esteri;

Sua Altezza Reale l'Arciduca Duca di Modena, il Conte Giuseppe Forni, suo Ciambellano e Consigliere di Stato, Maggiordomo Maggiore di Sua Altezza Reale l'Arciduca Principe Ereditario degli Stati Estensi, Commendatore dell' Ordine del Merito della Corona di Baviera;

Sua Maestà il Rè di Sardegna, il Marchese Giovanni Baptista Carrega, Cavaliere del Sacro Militare Ordine dei Santi Maurizio e Lazzaro, Commendatore dell' Ordine Pontificio di S. Gregorio Magno, Cavaliere del Reale Ordine Svedese della Stella Polare, suo Ministro residente in Toscana, e nominato appositamente per la presente circostanza a Ministro Plenipotenziario;

Sua Altezza Imperiale e Reale l'Arciduca Granduca di Toscana, il Consigliere Segretario di Stato Ministro degli Affari Esteri, Don Neri de' Principi Corsini, Primo Direttore delle Reali Segretarie, Cavaliere Gran Croce e Gran Cancelliere dell' Ordine di S. Giuseppe, Cavaliere Gran Croce dell' Ordine Reale di Francesco I delle Due Sicilie, Cavaliere Gran Croce decorato del Gran Cordone del Sacro Ordine Militare dei Santi Maurizio e Lazzaro di Sardegna, Cavaliere di prima classe dell' Ordine Austriaco della Corona di Ferro, Gran Croce del Reale Ordine Greco del Salvatore, Ufficiale dell' Ordine Reale della Legion d'Onore, decorato dell' Ordine Sultanico del Nichan-Iftihar di prima classe;

I quali essendosi riuniti in Firenze, ed avendo esibiti i loro pienipoteri, trovati in buona e debita forma, convennero nella via amichevole prescritta per tal cambio dal Congresso di Vienna negli Articoli che seguono:—

ARTICOLO I.

Sua Altezza Reale l'Infante Duca attuale di Lucca, futuro Duca di Parma, Piacenza, e Guastalla, trovando sommamente vantaggioso l'aggregare al futuro suo Ducato di Parma una parte di Lunigiana nel versante meridionale dell' Appennino, e Sua Altezza Imperiale e Reale il Granduca di Toscana amando pure sommamente di ritenere nel dominj proprj i due Vicariati di Barga e Pietrasanta, che ora ne sono, tuttochè suoi, distaccati, e che coll' aggregaizocne del Ducato di Lucca alla Toscana stabilita dall' Articolo CII dell' Atto del Congresso di Vienna gli verrebbero in contatto, eppur dovrebbero esser ceduti, convennero nel proporre a Sua Altezza Reale il Duca di Modena il cambio di questi due Vicariati di Barga e Pietrasanta, contro l'isolato Ducato di Guastalla e le terre Parmigiane poste alla destra dell' Enza, nel qual solo caso i distretti Toscani isolati in Lunigiana, sarebbero ceduti a Sua Altezza Reale il futuro Duca di Parma ora Duca di Lucca, ond' egli vi acquistasse con un territorio attiguo al futuro suo Ducato di Parma e

più prossimo al Mediterraneo, l'unico mezzo proprio a permutarvi i varj inchiusi ("enclaves") e a stabilirvi una linea di frontiera regolare con Sua Altezza Reale il Duca di Modena, solo possessore dei feudi egualmente isolati in Lunigiana.

ARTICOLO II.

Sua Altezza Reale il Duca di Modena, in vista dell'offerta spontanea che gli fu fatta da Sua Altezza Reale l'Infante Duca attuale di Lucca, futuro Duca di Parma, Piacenza e Guastalla, "di cedere, cioè, a lui, suoi eredi e successori, in tutta proprietà e sovranità, i territorj sulla destra dell'Enza complessivamente all'isolato Ducato di Guastalla, ora inchiuso fra gli Stati Lombardi ed Estensi, con che Sua Altezza Reale il Duca di Modena ceda a lui i territorj Estensi posti sulla sinistra di quel fiume, e ceda alla Toscana i due Vicariati di Barga e Pietrasanta, che il Congresso di Vienna gli assegnava," accetta questo cambio, e perciò solo rinunzià per sè, suoi eredi e successori, all' possesso delle Terre di Bazzano e Scurano, sulla sinistra dell'Enza, a favore di Sua Altezza Reale il Duca attuale di Lucca, futuro Duca di Parma, come pure al possesso assegnatogli dal Congresso di Vienna dei due Vicariati di Barga e Pietrasanta, a favore di Sua Altezza Imperiale e Reale il Granduca di Toscana, acconsentendo che continuino in perpetuo a formar parte del Granducato, come al presente, sotto le seguenti condizioni:

1. Che sia per sempre riconosciuto aver egli invece dei due Vicariati di Pietrasanta e Barga acquistato il solenne ed assoluto possesso del Ducato di Guastalla e della terre Parmigiani sulla destra dell'Enza, ed entrar questi territorj liberamente a lui ceduti dal legittimo loro Sovrano in stato e luogo di quelli sopradetti di Barga e Pietrasanta.

2. Che quella porzione di Appennino nel Vicariato di Barga, la quale versa nel Modenese, siagli ceduta, così che il confine scorra sulla retta fra i Monti Piastrajo e Porticciola, e non più sul pendio orientale.

3. Che il Lago di Porta presso mare nel Vicariato di Pietrasanta, che si trova attualmente diviso fra quest'ultimo territorio Toscano e l'attiguo Lucchese di Montignoso a lui devoluto dal Congresso di Vienna, resti tutto di sua appartenenza con quel margine di terreno che quì sotto all'Articolo IX è precisato, obbligandosi il Governo Estense a non permettere la coltivazione di risaje in tale spazio di terreno a lui ceduto, e a conservare le esistenti cateratte o a surrogare ad esse altro messo qualunque proprio ad impedire la nociva promiscuità delle acque salse con le dolci, e obbligandosi il Governo Toscano a lasciare scorrere nel lago e nell'emissario suo quelle acque che or vi versano soprattutto da Seravezza, ed a lasciare escavare dal Masso di Porta (salvi i diritti di privati proprietarj) i materiale occorrenti al restauro ed alla manutenzione di dette cateratte, autorizzandone i trasporti pel fosso di Porta.

4. Che una strada carreggiabile venga aperta e conservata a spese della Toscana a traverso del Vicariato di Pietrasanta dalla postale sino al confine della Garfagnana in prossimità della Petroschiana, e sia essa perpetuamente libera al transito degli Estensi a delle loro merci, come quella comunicazione che è più comoda e diretta tra Massa e la Garfagnana. Nè vi eccettua che il caso straordinario in cui disgraziatamente vi avverasse l'esistenza della peste o del cholera nello Stato Modenese e la Toscana vi dovesse stabilire, come sugli altri punti delle sue frontiere, appositi lazzaretti, nel quale circostanza soltanto vi sarebbero escluse le provenienze Estensi a meno che non purgassero la stabilita contumacia nel lazzaretto Toscano. Per altri casi di semplici sospetti o disparità di misure sanitarie, si ammetterebbe il transito delle provenienze Estensi sotto scorta sanitaria.

Così pure ove si tratti di passaggio di truppe Estensi, armi e munizioni, su questa strada, il Governo Estense darà avviso anticipato in via ministeriale al Governo Toscano, tranne il solo caso di assoluta straordinaria urgenza, in cui l'avviso preventivo verrà dato direttamente dai Governatori di Massa o della Garfagnana all'autorità governativa di Pietrasanta.

E relativamente al transito di generi di regalia, pei quali pure viene ammessa libertà agli Estensi, sarà nondimeno concertato fra i due Governi il sistema con cui esso sarà eseguito onde non possa derivarne danno alla finanza Toscana.

Sul tronco Estense di questa strada della Petroschiana che potrebbe offrire una più comoda comunicazione agli abitanti dei Vicariati di Barga e Pietrasanta, Sua Altezza Reale il Duca di Modena concede che profittandone essi per i prodotti loro territoriali o d'industria locale, sia loro restituito intieramente all'atto della sortita

dallo Stato Estense il dazio di transito che all' ingresso avessero sodisfatto, regolando poi l'esecuzione di tal misura con quelle norme che saranno giudicate le più opportune.

ARTICOLO III.

Sua Altezza Imperiale e Reale il Granduca di Toscana aderendo alle condizioni sovraesposte nella vista di conservare annessi alla Toscana i due Vicariati di Barga e Pietrasanta, cede a Sua Altezza Reale il Duca attuale di Lucca, futuro Duca di Parma, i varj suoi possedimenti distaccati in Lunigiana, e vi autorizza quindi pienamente ogni permuta e nuova confinazione ch'esso intenda concertarvi con Sua Altezza Reale il Duca di Modena, si pel bene di que' popoli, che per l'utile dei Ducali dominj al nord dell' Appennino.

ARTICOLO IV.

Sua Altezza Reale il Duca attuale di Lucca, futuro Duca di Parma, Piacenza e Guastalla, essendosi determinato alla rinunzia di quest' ultimo Ducato isolato e delle terre sulla destra dell' Enza a favore di Sua Altezza Reale il Duca di Modena, nell' intento si favorevole e vantaggioso ai proprj Ducati uniti di Parma e di Piacenza, di conseguire dalla Toscana, Pontremoli, Bagnone, e terre annesse in Lunigiana, atte ad aprirgli una via più facile di commercio al mare, cede perciò alla prefata Altezza Sua Reale il Duca di Modena, a' suoi eredi e successori, ogni suo diritto e titolo sulla destra dell' Enza e sul Ducato di Guastalla, per sè, suoi eredi e successori, ed unisce al futuro suo Ducato di Parma oltre i territorj in Lunigiana a lui ceduti dalla Toscana e non permutati con Modena a tenore dell' Articolo che segue, i territorj attualmente estensi sulla sinistra dell' Enza, dichiarando fin d'ora che il mezzo (thalweg) di questo fiume s'intenderà dal di della reversione preveduta dall' Articolo CII dell' Atto del Congresso di Vienna, essere il limite fra gli Stati di Parma e di Modena, dal luogo in Apennino ove incontra l'antica frontiera presso il Lago Squincio sino al Pòpresso Brescello; con che siane libera ad entrambi la possibile navigazione, e libero l'uso semplice dell' acque al moto di officine sulle sponde, salvi rimanendo i diritti d'irrigazione già esistenti, e non dovendosi con opere qualunque portar danno dall' una all' altra delle rive.

ARTICOLO V.

Le loro Altezze Reali il Duca di Modena e il Duca attuale di Lucca, futuro Duca di Parma, fatto serio e ponderato riflesso ai reciproci interessi in Lunigiana, ora frastagliata di confini irregolari producenti più inconvenienti politici e amministrativi, non potendosi altrimenti giungere sul possesso dell' uno fuorché passando anche più volte a brevissime distanze sul territorio dell' altro, convennero dividersi nei modi e con le condizioni che seguono quei feudi e territorj ora spettanti a Modena e alla Toscana:—

1. Sua Altezza Reale il Duca attuale di Lucca, futuro Duca di Parma, che col cedere l'isolato Ducato di Guastalla e le terre d'oltre Enza a Sua Altezza Reale il Duca di Modena, pervenne a conseguire dalla Toscana in Lunigiana, Pontremoli, Bagnone, Groppoli, Lusuolo, Terrarossa, Albiano e Calice, fa di alcuni di questi territorj non uniti amichevole permuta con più feudi staccati di Sua Altezza Reale il Duca di Modena, prendendo cioè invece loro i distretti attualmente non uniti di Treschietto, Villafranca, Castevoli e Mulazzo, sino alla linea di frontiera quì più sotto precisata all' Articolo IX, e costituendo di più parti distaccate un corpo unito di dominio nel versante meridionale dell' Apennino in contatto immediato per la Cisa con Parma.

2. Sua Altezza Reale il Duca di Modena ansando ritenere ne' suoi dominj in Lunigiana il distretto suo più occidentale detto di Rochetta, ora staccato dal rimanente degli Stati Estensi ed attiguo agli Stati Sardi, come anche i distretti pur suoi di Podenzana e di Tresana presso quelle di Aulla sulla Magra, prende possesso del distretto di Calice per arrivarvi liberamente, e unisce a questo lembo di terreno in gran parte già suo, anche gli attigui distretti di Albiano, Ricò e Terrarossa, che con Calice verranno a tener luogo di que' feudi di Treschietto, Villafranca, Castevoli e Mulazzo, cui rinunzia, e che il Congresso di Vienna, accordando l'amichevole permuta, intesse annessi agli Stati di Massa e di Carrara, per l'ordine diverso di successione e pei diritti di reversione che vi sono dall' Articolo XCVIII conservati.

ARTICOLO VI.

E di comune assenso stabilito che ogni territorio cambiato non sia gravitato da debito diverso da quello unicamente comunale, se mai vi esistesse, e che se vi hanno altri aggravi, debbano questi rimanere a carico della parte cedente. Quindi il canone oggi dovuto dallo Stato di Lucca alla Comunità di Barga pel Monte di Gragno, passerà al momento della reversione a carico della Toscana, la quale si obbliga fin d'ora a far riconoscere abrogate ed estinte le clausule e condizioni dell'antico livello, in modo che il Monte di Gragno, divenuto Estense, trovisi pur libero da ogni relativo vincolo.

Sua Altezza Reale il Duca de Modena facendo però una speciale eccezione al debito sul futuro suo Ducato di Guastalla iscritto nei registri del Monte già Napoleone, acconsente di assumere in luogo del Duca di Parma il soddisfacimento della parte di detto debito non estinta all'epoca della reversione, a tenore di quanto il Congresso di Vienna, al Articolo XCVII e le successive commissioni, stabilirono a carico dei legittimi possessori.

Rimane pure di comune assenso stabilito che gli edifizj ed altra proprietà qualunque fondiaria o mobigliare appartenente allo Stato o alla Corona, debba seguire il papaggio della sovranità nei diversi territorj cambiati, senza pregiudizio ai possessori di beni ecclesiastici o luoghi pii; e ritenuto che i bene allodiale, ove ne esistano, restano reciprocamente esclusi da tali vicendevoli cessioni.

ARTICOLO VII.

Sua Maestà l'Imperatore d'Austria nel riconoscere la cessione di Guastalla e dell'oltre Enza a Sua Altezza Reale il Duca di Modena, anzi che a Sua Altezza Reale il Duca di Lucca, futuro Duca di Parma, che spontaneamente vi rinunzia pei motivi sviluppati nel presente Trattato, garantisce a Sua Altezza Reale il Duca di Modena, suoi eredi e successori, che in niun modo sarà loro turbato il pacifico possedimento di questi territorj da chi intendesse vantare diritti o pretese sopra i medesimi; e nel tempo stesso si dichiara soddisfatto di trasferire sul Distretto di Pontremoli e sull'altra porzione di Lunigiana che è assegnata al Duca attuale di Lucca, futuro Duca di Parma, il diritto di reversibilità che gli compote su Guastalla e sull'oltre Enza.

ARTICOLO VIII.

Resta però convenuto fra Sua Maestà l'Imperatore d'Austria e Sua Maestà il Rè di Sardegna, che tutta la porzione di Lunigiana, come sopra assegnata al futuro Duca di Parma, e che comprende la massima parte dei territorj ora Toscani di Pontremoli e di Bagnone, non che i distretti ora Estensi di Treschietto, Villafranca, Castevoli, e Mulazzo, dovrà essere ceduta in piena proprietà e sovranità a Sua Maestà il Rè di Sardegna, suoi eredi e successori, allorquando si avveri il caso della reversibilità contemplata dal Trattato del 20 Maggio, 1815, per cui il Ducato di Parma devolverebbe all'Austria e quello di Piacenza alla Sardegna. E questa cessione alla Sardegna formerà la base di quel compenso che in forza dell'Articolo Addizionale e Separato del Trattato suddetto de' 20 Maggio, 1815, l'Austria le deve per la convenuta consegna della città e fortezza di Piacenza con un determinato circondario. Il valore però dei suddetti territorj da cambiarsi, cioè, Piacenza colla zona stabilita, e i territorj Parmigiani attigui agli Stati Sardi, dovrà essere constatato all'epoca medesima delle reversioni con imparziale spirito di equità da una Commissione Austro-Sarda; e nel caso, inverosimile, di dissenso, si conviene fin d'ora fra le due Corti, di riferirsene all'arbitraggio della Santa Sede.

ARTICOLO IX.

E questo Trattato di cambj di territorj, nuova confinazione e trasporto di reversibilità, che restar deve segreto finchè si verifichi il caso preveduto dall'Articolo XCIX dell'Atto del Congresso di Vienna e dall'Articolo III del relativo Trattato di Parigi, 10 Giugno, 1817, verrà immediatamente posto in esecuzione a quell'epoca dalle Corti di Modena, Parma, e Toscana, senza eccezione alcuna, nè di fatto nè di diritto, e sotto l'invocato benevolo concorso dell'altre due Potenze, e lo sarà nel modo che segue:

1. Sua Altezza Imperiale e Reale l'Arciduca Granduca di Toscana, nell'assumere il possesso del Ducato di Lucca, a lui assegnato dall'Articolo CII dell'Atto del Congresso di Vienna, conferma suoi i due Vicariati di Barga e Pietrasanta attigui a quel Ducato, isolandone soltanto quella parte dell'Apennino che

frapposta ai monti ertissimi Piastrajo e Porticciola, versa le sue acque nell'opposto territorio Modenese cui deve appartenere, tirandosi una linea di confine d'accordo fra Commissarj Estensi e Toscani, la quale serpeggiando sulla cresta esattamente fra i due versanti, cominci e termini là dove le due linee discendenti nel pendio Modenese hanno principio, cosicchè queste abbandonate, abbiassi una linea affatto nuova di ben 2,200 tese Viennesi di lunghezza, che rimisca il confine esistente in Porticciola con quello che dal Monte Piastrajo discendendo forma limite al territorio di Barga verso la Garfagnana Estense: limite che raggiungendo il Cerchio fra Castelvechio e Fiattione segue quel fiume sino a Torrite Cava, il qual torrente dovrà in seguito separare il territorio Toscano, ora Ducato di Lucca, dal distretto Lucchese di Gallicano, devoluto a Sua Altezza Reale il Duca di Modena.

Indi seguendosi l'antico sinuoso confine si perverrà poco sopra Campolemissi al Vicariato di Pietrasanta, la cui frontiera resta tal quale è presentemente collo Stato Estense, sin dove in Monte Carchio si tocca il confine ora Lucchese di Montignoso, donde seguendo la linea orientale che il divide dal Vicariato di Pietrasanta, si giungerà sino presso il Lago di Porta. E siccome all' Articolo II, § 3, è detto, che intorno a questo lago che diviene Estense, è accordato un margine preciso, così sarà pure di concerto fra Commissarj Toscani ed Estensi tracciata la frontiera nel modo da quest' ora stabilito come segue: a 400 braccia Toscane misurate sulla spiaggia dalla foce dell' emissario del Lago di Porta si stenderà una linea di 1,530 braccia, seguendo la direzione del viottolo ora esistente che conduce alla casa segnata col No. 16 nelle mappe catastrali Toscane, dall' estremo punto di questa linea piegando sul sentiero di destra si traccerà altra linea di 265 braccia, poi una terza linea di 1,360 braccia per raggiungere il Canale di Seravezza a 100 braccia dall' emissario del lago in cui sfoga, quindi seguendo il lato orientale della strada così detta della Casetta per la lunghezza di 1,400 braccia vi andrà a chiudere la figura con un ultima linea di 1,700 braccia al confine attuale di Montignoso a 400 braccia dalla strada postale, nel qual perimetro s'intendono comprese, quindi cedute a Sua Altezza Reale il Duca di Modena, oltre il forte marittimo detto del Cinquale e il casino dei custodi, le cateratte, la casetta summentovata e la strada che vi guida.

2. Sua Altezza Reale l'Arciduca Duca di Modena, nell' assumere il possesso a lui assegnato dal Congresso di Vienna e non ceduto col presente Trattato, dei territorj Lucchesi di Montignoso, Minucciano, Castiglione e Gallicano, come pure di Fivizzano, ora Toscano, cessandogli di un lato l'obbligo contratto con la Corte di Lucca per Castiglione colla Convenzione 4 Marzo, 1819, e dovendosi dall' altro indennizzare la Toscana del capitale da essa impiegato nella costruzione della strada militare di Fivizzano a termini dell' Atto 5 Ottobre, 1829, aggregherà senz' altro attendere, fuorchè l'arrivo immediato dei Commissarj Toscani, il terreno quì sopra specificato di Barga nel versante Modenese dell' Apennino, e quello intorno al Lago di Porta quì sopra descritto e detratto dall' estremità occidentale del territorio Toscano di Pietrasanta, come pure in Lunigiana i distretti Toscani di Albiano, Calice, Ricò e Terrarossa, conservando esattamente l' attuale frontiera verso il Piemonte, e seguendo verso il nuovo Stato Parmigiano in Lunigiana il confine in gran parte antico quì appresso descritto, e nella mappa quì unita colorato, cioè: Il confine attuale che separa il distretto Estense di Rocchetta da quello ora Toscano di Pontremoli per l'estensione di 1,300 tese Viennesi, e il sinuoso confine che separa dal distretto Estense di Mulazzo quello Toscano di Calice fra Casoni e Parana per altre 3,070 tese semplicemente riuniti presso Casoni da un breve tronco di confine nuovo in linea retta di 200 tese, quindi un tronco nuovo di 2,540 tese fra Parana e il più vicino punto di frontiera di Lusuolo sotto Castevoli, seguendo prima il sentiero di Tresana sul Monte Colletta, poi scendendo a sinistra nel torrente Canosilla. Da questo punto si seguirà detta frontiera di Lusuolo sino ad altro punto sulla Magra Contano 2,080 tese, d'onde si traccerà fra Fornoli e Terrarossa dalla Magra al torrente di Civiglia un ultimo nuovo tronco diretto di 700 tese attraversante la strada di Pontremoli 300 tese sotto Piastra, onde seguire poi l'antico limite che ascende all'Apennino per la lunghezza di 8,770 tese, separando dal Bagnonesc ora Toscano, e che Parmigiano diventa, i distretti Modenesi di Licciana e Varano sul Taverone, che a Modena rimangono insieme a Fivizzano. Con ciò l'arcuata linea di frontiera in Lunigiana fra Modena e Parma che per la lunghezza di 19,360 tese scorrerà dall' una all' altra sommità dei monti che sacchiudono la Magra, avrà 15,920 tese di vecchio confine e sole 3,440 tese di confine affatto nuovo, diviso semplicemente in tre tronchi del più agevole traccia-

mento, il primo di 200 tese, il secondo di 2,540, il terzo di 700 nella precisa direzione di ponente a levante.

3. Sua Altezza Reale il Duca attuale di Lucca, futuro Duca di Parma, senza tampoco assumere il governo e il titolo del Ducato di Guastalla cui rinunzia, e della riva destra dell' Enza, cui pure rinunzia a favore di Sua Altezza Reale il Duca di Modena, farà al medesimo Sovrano immediata cessione dell' un territorio e degli altri mediante Commissarij Parmensi a ciò eletti, come pure dei territori in Lunigiana nel modo quì sotto indicato al § 4; e nel tempo stesso Sua Altezza Reale il Duca di Modena, mediante Commissarij Estensi, farà a lui cessione immediata dei territorj di Treschietto, Villafranca, Castevoli, e Mulazzo, in Lunigiana, dietro la linea di frontiera quì sopra specificata, come pure dei distretti sulla sinistra dell' Enza; con che questo fiume che scende dal Monte Giogo di Fivizzano e taglia al Lago Squincio la frontiera all' Apennino conservata per tre miglia Italiane fra i Ducati di Modena e Parma sui Monti Tendola e Malpasso, servirà all' avvenire di limite fra i due Stati a partire da quel lago sino al Pò. E mentre Modena per ciò acquista superiormente il territorio di Succiso fra l' Enza e il confine attuale, rinunzia a quello di Scurano che gli vien presso sulla sinistra, così acquista poco più sotto Vedriano e Gombio sulla destra, e cede Bazzano sulla sinistra, acquistando finalmente sulla destra il distretto di Ciano e quelli in pianura di Gattatico, Poviglio, e San Giorgio, sino alla foce in Pò sopra Brescello, per non far più che un corpo di dominio unito con Guastalla fra il Pò ed il Mediterraneo. E questo Ducato di Guastalla, di cui Sua Altezza Reale il Duca di Modena, per le cessioni fatte, assume sovranità e titolo, conserva verso il Regno Lombardo-Veneto gli stessi limiti che attualmente da quel regno lo dividono.

4. La stessa Altezza Sua Reale il Duca attuale di Lucca, futuro Duca di Parma, nell' assumere, a' termini degli Articoli XCIX e CII del Trattato di Vienna, il sovrano dominio del suo nuovo Stato, e nel fare senz' altro le cessioni convenute, prendendo i più solleciti concerti coi Sovrani di Modena e Toscana per le nuove confinazioni sulle norme quì sopra stabilite e con le tracce quì nel piano già indicate, onde evitare qualsiasi dubbio o discussione nell' importante momento del passaggio di più territorj a nuovi Sovrani, e di intricate antiche linee di confine a linee nuove meglio regolate dalla natura dei luoghi e da reciproche convenienze territoriali e commerciali, estenderà l' immediato suo dominio di concerto coi Commissarij Estensi a ciò tosto nominati, su Bazzano e Scurano alla sinistra dell' Enza, e su Treschietto, Villafranca, Castevoli, e Mulazzo, appartenenti a Modena, come su Pontremoli, Bagnone, Merizzo, Fornoli, Groppoli e Lusuolo, appartenenti alla Toscana, la quale direttamente rimetterà in nome di Sua Altezza Reale il Duca di Parma a Sua Altezza Reale il Duca di Modena, i territorj già ceduti di Albiano, Calice, Ricò e Terrarossa; ritenuto che dal dì della reversione le percesioni d' imposte cadono a favore del Sovrano da cui si assume il territorio ad esso dal presente Trattato devoluto, salvi gli arretrati, i quali restano a favore della parte che lo cede.

ARTICOLO X.

Il presente Trattato, fatto in quintuplo originale, insieme con la carta che il concerne, segnato al pari di essa dai diversi Plenipotenziarij che vi apposero pur anche i suggelli delle loro armi, sarà ratificato, e le ratifiche saranno cambiate a Firenze nel termine di due mesi, o prima se possibile.

Fatto in Firenze, li ventotto del mese di Novembre dell' anno di grazia mille otto cento quaranta-quattro.

(Firmati)

(L.S.)

N. CORSINI.

(L.S.)

CAVRE. VACANI DI FORT' OLIVO, G.

(L.S.)

A. RAFFAELLI.

(L.S.)

G. FORNI.

(L.S.)

CARREGA.

Articolo Separato e Segreto.

I Sovrani Contraenti convengono che qualora accadesse opposizione (non presumibile) di qualche Potenza, ed essi e i loro successori non potessero entrare o venissero turbati nel pacifico possesso dei territorj permutati per cause inerenti ai territorj medesimi e preesistenti al presente Trattato, tutte le stipulazioni oggi poste in essere in virtù dei loro sovrani diritti a senso e compimento dell' Atto solenne del Congresso di Vienna, dovrebbero riguardarsi come non avvenute, e

quindi restar ferme o rispettivamente rivivere le disposizioni tutte dell' Atto di Congresso medesimo. Di modo che il Ducato di Guastalla e gli altri territorj Parmigiani contemplati in questo Trattato rimarrebbero al Sovrano di Parma, Sua Altezza Reale il Duca di Modena verrebbe in possesso di Pietrasanta e Barga, e Sua Altezza Imperiale e Reale il Gran Duca di Toscana conserverebbe i Vicariati di Pontremoli e Bagnone.

Il presente Articolo Separato e Segreto avrà la stessa forza e valore come se fosse iscritto parola per parola nel Trattato di questo giorno; sarà ratificato e le ratifiche ne saranno cambiate contemporaneamente a quelle del Trattato suddetto.

In fede di che i Plenipotenziarj rispettivi lo hanno firmato e vi hanno apposto il sigillo delle loro armi.

Fatto in Firenze, li ventotto del mese di Novembre, dell'anno di grazia mille otto cento quaranta-quattro.

(Firmati)	(L.S.)	CARE. VACANI DI FORT' OLIVO, G.
	(L.S.)	ANT. RAFFAELLI.
	(L.S.)	G. FORNI.
	(L.S.)	CARREGA.
	(L.S.)	N. CORSINI.

(Translation.)

In the name of the Most Holy and Indivisible Trinity.

HIS Royal Highness the Infante of Spain, present Duke of Lucca, and prospective Duke of Parma, Piacenza, and Guastalla;

His Royal Highness the Archduke of Austria, Duke of Modena;

His Imperial and Royal Highness the Archduke of Austria, Grand Duke of Tuscany;

Having unanimously recognized that the frontier line of a part of their respective States is intricate and susceptible of changes, which changes are easily effected on both sides, at the epoch fixed by the Treaty of Vienna, when such permutations are to take place;

That it is impossible otherwise to remedy the defects of this frontier than by exchanging small portions of their territory, which are now isolated; that the power of effecting such an exchange in an amicable way is expressly reserved to the interested party by Article XCVIII of the Act of the Congress of Vienna, but which could not otherwise take place if His Imperial Royal and Apostolic Majesty, and His Majesty the King of Sardinia, did not consent to a modification of the rights of reversion derived respectively from them, according to the Treaty of Aix-la-Chapelle in 1748, and from what was concluded on the 20th of May, 1815, between Austria and Sardinia, which rights are expressly mentioned in the Act of the Congress of Vienna, and confirmed by the Treaty of Paris on the 10th of June, 1817;

The three Sovereigns have to this intent addressed themselves to their Majesties before mentioned; and

His Imperial Royal and Apostolic Majesty being convinced of the utility of having the frontier-line made clearer, and being exceedingly desirous of contributing, even at a sacrifice on his part, towards a design of such interest to the Sovereigns of the above-mentioned States, was of opinion that the best way of attaining the object, would be to open an express negotiation in Florence;

And His Majesty the King of Sardinia, no less anxious to give to the Sovereigns of Lucca, Modena, and Tuscany, the warmest demonstrations of his confidence and friendship, having also consented to take part in the Treaty, the High Contracting Powers interested in the negotiation having named as their Plenipotentiaries, that is to say:

His Imperial Royal and Apostolic Majesty, the Chevalier Camillo Vacani di Fort' Olivo, Major-General of the corps of Engineers in his army, Knight of the Royal Order of the Iron Crown, of the Legion of Honour of France, and of Charles the Third of Spain, and of the Imperial Russian Orders of St. Anne of the second class, and of St. Wladimir of the third class;

His Royal Highness the Infant and reigning Duke of Lucca, prospective Duke of Parma, Piacenza, and Guastalla, the Councillor of State, Antonio Raffaelli, decorated with the Cross of St. Louis of the first class, Lord Chief Justice, Director-General of the Police, of the Armed Force, and of the Royal Post, and entrusted with the Portfolio of the Ministry for Foreign Affairs;

His Royal Highness the Archduke Duke of Modena, Count Giuseppe Forni, his Chamberlain and Councillor of State, and head Majordomo of His Royal Highness the Archduke, and hereditary Prince of the Duchy of Modena, and Commander of the Order of Merit of the Crown of Bavaria;

His Majesty the King of Sardinia, the Marquis Giovanni Baptista Carrega, Knight of the Sacred and Military Orders of St. Maurice and Lazarus, Commander of the Pontifical Order of St. Gregorio Magno, Knight of the Royal Swedish Order of the Polar Star, his Minister resident in Tuscany, and named expressly for the present occasion to be his Minister Plenipotentiary;

His Imperial and Royal Highness the Archduke Grand Duke of Tuscany, the Councillor and Secretary of State and Minister for Foreign Affairs, Don Neri de' Principi Corsini, Chief Director of the Royal Secretaries, Knight Grand Cross and Grand Chancellor of the Order of St. Joseph, Knight Grand Cross of the Royal Order of Francis I of the Two Sicilies, Knight Grand Cross and decorated with the Grand Cordon of the Sacred and Military Orders of St. Maurice and Lazarus of Sardinia, Knight of the first class of the Austrian Order of the Iron Crown, Grand Cross of the Royal Greek Order of the Saviour, Officer of the Royal Order of the Legion of Honour, and decorated by the Sultan with the Order of the Nichan Iftihar of the first class;

Who, having assembled in Florence, and having exhibited their full-powers, which were all found to be in due form, have, in the amicable way prescribed by the Congress of Vienna, for the above-mentioned exchange, agreed upon the Articles which here follow:—

ARTICLE I.

His Royal Highness the Infante, present Duke of Lucca, prospective Duke of Parma, Piacenza, and Guastalla, finding that the incorporation of a part of Lunigiana, situate on the southern watershed of the Apennines, would be highly advantageous; and His Imperial and Royal Highness the Grand Duke of Tuscany being also particularly desirous of retaining, as part of his dominions, the two townships ("vicariati") of Barga and Pietrasanta, which, although belonging to him, are, at present, detached therefrom, but which, by the annexation of Lucca to Tuscany, as settled by Article CII of the Act of the Congress of Vienna, would, if ever they should be ceded, adjoin his said dominions, have agreed on proposing to His Royal Highness the Duke of Modena the exchange of these two townships of Barga and Pietrasanta in lieu of the isolated Duchy of Guastalla, and of that part of the Parmesan territory situate on the right bank of the River Enza, in which case alone the isolated Tuscan districts in Lunigiana would be made over to His Royal Highness the prospective Duke of Parma, now Duke of Lucca, a cession whereby His Royal Highness would acquire not only a territory contiguous to his future Duchy of Parma and nearer to the Mediterranean, but also the only practicable means of commuting the various inclosures ("enclaves"), and of establishing there a regular frontier-line with His Royal Highness the Duke of Modena, sole possessor of the fiefs which are similarly isolated in Lunigiana.

ARTICLE II.

His Royal Highness the Duke of Modena, in consideration of the spontaneous offer made to him by His Royal Highness the Infante, present Duke of Lucca and prospective Duke of Parma, Piacenza, and Guastalla, "to give up, *i. e.*, to him, his heirs and successors, in full possession and sovereignty, the territory on the right bank of the Enza, together with the isolated Duchy of Guastalla, now inclosed between the Lombard and Modenese States, provided that His Royal Highness the Duke of Modena should give up to him the Modenese territories situate on the left bank of that river, and also cede to Tuscany the two townships of Barga and Pietrasanta, assigned to him by the Congress of Vienna, accepts this exchange," and for this reason exclusively, renounces for himself, his heirs and successors, the possession of the domains ("terre") of Bazzano and Scurano, on the left bank of the Enza, in favour of His Royal Highness the present Duke of Lucca and prospective Duke of Parma, as well as the possession, assigned to him by the Congress of Vienna, of the two townships of Barga and Pietrasanta, in favour of His Imperial and Royal Highness the Grand Duke of Tuscany, consenting that they shall continue to form for ever an integral portion of the Grand Duchy, as they do at the present moment, under the following conditions:—

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1. That it should be always recognized that, in lieu of the townships of Barga and Pietrasanta, he should enter into the solemn and absolute possession of the Duchy of Guastalla, and of those parts of the Parmesan territory which are on the right bank of the Enza, and should freely take possession of these territories, which were freely ceded to him by their legitimate Sovereign in exchange for, and in the place of, the above-mentioned townships of Barga and Pietrasanta.

2. That that portion of the Apennines, in the township or district of Barga, which runs into the Modenese territory be ceded to him, so that the boundary may be on the right between the mountains of Piastrajo and Porticciola, and no longer on the east side of these mountains.

3. That the Lake of Porta, near the sea, in the district of Pietrasanta, which is now divided between this last-mentioned Tuscan territory and the Lucchese territory of Montignoso, contiguous to it, made over to him by the Congress of Vienna, continue to remain in his full possession, together with that strip of land designated in Article IX mentioned hereafter; the Modenese Government promising not to permit the cultivation of rice-fields in this space of land, so ceded to it, and also to keep in repair the sluices at present existing, or else to substitute for them some other method, which may be effective in preventing the injurious mixture of the salt water with the fresh, and that the Tuscan Government undertake to allow to run into the lake, and by its proper outlet, the water which at present flows therein, especially from Seravezza, and that it permit all the materials which may be necessary for the restoration of these sluices to be excavated from the Masso di Porta (always respecting the rights of private individuals), authorizing the transport of these materials along the canal of Porta.

4. That a road for carriages should be opened and maintained by the Tuscan Government, at its own expense, passing through the township of Pietrasanta from the post-road to the confine of the Garfagnana in the neighbourhood of Petroschiana, and that the same should be always open for the passage of Modenese subjects and their goods, as being the most easy and direct communication between Massa and the Garfagnana; nor can any exception be made, unless the existence of the plague or of the cholera-morbus in the Modenese States should be, unfortunately, proved, and that Tuscany should establish there, as in other places of its frontier, special lazarettoes, under which circumstance alone the inhabitants of the Duchy of Modena must be prohibited from passing, should they not have performed the quarantine required by the Tuscan lazaretto. In other cases of mere suspicion or disagreement concerning sanitary measures, the Modenese subjects will be allowed to pass under a sanitary escort. In like manner, whenever there may be occasion for the transit of Modenese troops, arms, or ammunition on this road, the Modenese Government will give notice beforehand, through its Minister, to the Tuscan Government, excepting in some exceedingly particular case of great emergency, and in which the announcement will be made direct by the Governors of Massa and the Garfagnana to the Government authority in Pietrasanta.

With regard to the transit of objects of regalia, which is also to be allowed to the Modenese, the system of effecting it shall be agreed upon between the two Governments, in such a way that the finances of Tuscany may not be injured thereby.

On the Modenese branch of this road of the Petroschiana which might offer a more commodious communication to the inhabitants of the towns of Barga and Pietrasanta, His Royal Highness the Duke of Modena consents that whenever they may have occasion to make use of it for the transport of their manufactures or territorial produce, on their leaving the Modenese territory, the whole of the transit duty which may have been paid by them on their entering it shall be returned to them, and that the mode of carrying this measure into execution should be regulated in the way that shall be judged most proper.

ARTICLE III.

His Imperial and Royal Highness the Grand Duke of Tuscany, adhering to the above-mentioned conditions, for the purpose of keeping annexed to Tuscany the two townships of Barga and Pietrasanta, cedes to His Royal Highness the present Duke of Lucca and prospective Duke of Parma, his various detached possessions in the Lunigiana, and consequently fully authorizes any changes in the new line of frontier that he may intend agreeing upon in concert with His Royal Highness the Duke of Modena, both as regards the welfare of the population and the benefit of the Ducal dominions to the north of the Apennines.

ARTICLE IV.

His Royal Highness the present Duke of Lucca, prospective Duke of Parma, Piacenza, and Guastalla, having determined to renounce the last-mentioned isolated Duchy, as well as his possessions on the right bank of the Enza, in favour of His Royal Highness the Duke of Modena, for the object so favourable and advantageous to his own united Duchies of Parma and Piacenza, inasmuch as Tuscany makes over to him Pontremoli, Bagnone, and the lands annexed to them in the Lunigiana, by which means a more direct commercial communication by sea will be opened to him, cedes, for this reason, to His aforesaid Royal Highness the Duke of Modena, his heirs and successors, all his right and title to the right bank of the Enza, and to the Duchy of Guastalla, for himself, his heirs and successors, and unites to his future Duchy of Parma, besides the territories in Lunigiana, which were given up to him by Tuscany, and not exchanged with Modena, according to the Article which follows, the territories actually belonging to Modena on the left bank of the Enza, declaring that from the present moment the middle of this river (thalweg) shall be considered, from the day of reversion, already provided for by Article CII of the Congress of Vienna, to be the limit between the States of Parma and Modena, from that part of the Apennines where it meets the ancient frontier near Lake Squincio, to Brescello on the Po, provided that the navigation, if practicable, be free and open to both parties, as also that both may make use of the water for any manufactories that may be situated on the banks, the peculiar rights of irrigation remaining as they already exist, and that no description of works be undertaken that might damage either side of the river.

ARTICLE V.

Their Royal Highnesses the Duke of Modena and the present Duke of Lucca, prospective Duke of Parma, having seriously and maturely deliberated on their reciprocal interests in Lunigiana, which are now isolated and divided by an irregular line of frontier, producing many inconveniences both political and financial, from its being impossible for either party to reach his own territory without being, several times, and at very brief intervals, obliged to pass through that of the other, have determined on dividing between themselves those fiefs and territories now belonging to Modena and Tuscany in the following manner, and with the following conditions:—

1. His Royal Highness the present Duke of Lucca, prospective Duke of Parma, who, by ceding the isolated Duchy of Guastalla and the territories beyond the Enza to His Royal Highness the Duke of Modena, succeeded in obtained from Tuscany in Lunigiana, Pontremoli, Bagnone, Groppoli, Lusuolo, Terrarossa, Albiano, and Calice, makes an amicable exchange of some of these territories which are not united together, for some isolated fiefs belonging to the Duke of Modena, receiving instead of these the, at present, isolated districts of Treschietto, Villafranca, Castevoli, and Mulazzo, as far as the frontier line more particularly designated hereafter in Article IX, thus forming of several detached parts one united body of dominion on the south water-shed of the Apennines, and in immediate contact with Parma, by the River Cisa.

2. His Royal Highness the Duke of Modena, wishing to retain in his dominions in Lunigiana that portion or district called Rochetta, being the most western part of his territory, now divided from the rest of the Modenese States, and bordering on those of Sardinia, as well as the districts, also his, of Podenzana and of Tresana, near those of Aulla on the River Magra, takes possession of the district of Calice, in order to approach them with more facility, and also unites to this slip of land which, for the most part, already belongs to him, the neighbouring districts of Albiano, Rico, and Terrarossa, which, together with Calice, will replace those fiefs of Treschietto, Villafranca, Castevoli, and Mulazzo, which he renounces, and which the Congress of Vienna, giving its consent to an amicable exchange, considered as annexed to the States of Massa and Carrara, by the respective order of succession, and by the rights of reversion preserved for them by Article XCVIII.

ARTICLE VI.

It has been mutually agreed that the exchanged territories shall not be burthened by any kind of debt, excepting that belonging to the commune, if ever

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such existed, and that if there happen to be any other description of impositions or debts ("aggravj"), the ceding party will be considered liable for them. Thus the ecclesiastical tax ("canone") now owing by the State of Lucca to the community of Barga for Monte Gragno will be transferred to Tuscany, the moment the reversion of territory is effected, which State obliges itself from that moment to consider all the clauses and conditions of the ancient copyhold ("livello") as abrogated and extinguished in such a way that the Monte di Gragno, becoming part of Modena, shall be entirely free from any obligation thereunto belonging.

His Royal Highness the Duke of Modena making, notwithstanding, an especial exception as regards the debt of his future Duchy of Guastalla, inscribed in the registers of the former Monte Napoleone, consents to take upon himself, in lieu of the Duke of Parma, the liquidation of a part of the said debt not extinct at the time of reversion, according to what the Congress of Vienna (Article XCVII), and the successive Commissions, have established as belonging to its legitimate possessors.

It has also been agreed upon, on both sides, that all buildings, and other property, whether funded or moveable, belonging to the State or to the Crown, must be subject to the royalty dues ("papaggio della sovranità") existing in the different exchanged territories, without being detrimental to the possessors of ecclesiastical property or of pious places; and it is also understood that allodial property, where it exists, should be reciprocally excluded from these cessions common to both parties.

ARTICLE VII.

His Majesty the Emperor of Austria, in recognizing the cession of Guastalla and of the territory beyond the Enza, to His Royal Highness the Duke of Modena, as well as to His Royal Highness the Duke of Lucca, prospective Duke of Parma, who spontaneously renounces the same for motives explained in the present Treaty, guarantees to His Royal Highness the Duke of Modena, his heirs and successors, that in no way whatsoever shall they be disturbed in the pacific possession of these territories by any one who may pretend to have a right or pretext upon the same, declaring at the same time that he agrees to transfer to the district of Pontremoli and to the other portion of the Lunigiana, which is assigned to the present Duke of Lucca, prospective Duke of Parma, the right of reversibility on Guastalla and the territory on the other bank of the Enza to which he is entitled.

ARTICLE VIII.

It remains, however, agreed upon between His Majesty the Emperor of Austria and His Majesty the King of Sardinia, that all that portion of Lunigiana which has been assigned above to the prospective Duke of Parma, and which comprehends the greatest part of the territory, now Tuscan, of Pontremoli and Bagnone, besides the districts now Modenese, viz., Treschietto, Villafranca, Castevoli, and Mulazzo, shall be ceded, in full possession and sovereignty, to His Majesty the King of Sardinia, his heirs and successors, whenever the case of reversibility contemplated by the Treaty of the 20th of May, 1815, shall come to pass, by which the Duchy of Parma would fall to Austria, and that of Piacenza to Sardinia. And this concession to Sardinia will form the basis of that compensation which, in virtue of the Additional and Separate Article of the said Treaty of the 20th of May, 1815, is due to her from Austria for giving up the city and fortress of Piacenza, together with its portion of the surrounding district, as determined and agreed upon between them. Nevertheless, the value of the above-mentioned States to be exchanged between them, namely, Piacenza, with a circle ("zona") or district that has been decided upon, and the Parmesan territory which borders on Sardinia, must be ascertained and agreed upon at the precise time of reversion, in an impartial and equitable manner by an Austro-Sardinian Commission, and, in the improbable case of dissension, it has been agreed between the two parties to refer the case at once to the decision of the Holy See.

ARTICLE IX.

And this Treaty of exchanges of territories, new frontier line, and right of reversibility, which is to be kept secret until the case foreseen by Article XCIX of the Congress of Vienna, and by Article III of the Treaty of Paris of 10th of

June, 1817, shall be verified, must be immediately carried into effect at that epoch by the Courts of Modena, Parma, and Tuscany, without any exception either of act or right, and with the solicited and benevolent assistance of the other two Powers, in the following manner:—

1. His Imperial and Royal Highness the Archduke Grand Duke of Tuscany, on assuming the possession of the Duchy of Lucca, assigned to him by Article CII of the Congress of Vienna, confirms as his the two townships of Barga and Pietrasanta, which are contiguous to that Duchy, with the exception only of that portion of the Apennines which is situated among the lofty mountains of Piastrajo and Porticciola, and which runs down into the opposite territory of Modena, to which it is to belong, establishing a frontier-line, which is to be determined by Tuscan and Modenese Commissioners; which line, winding directly over the summit and between the two declivities, shall begin and finish where the two lines descending to the water-shed on the Modenese side have their origin; so that these lines being abandoned, a perfectly new one, of at least 2,200 Viennese toises shall be formed, which will unite the present confine in Porticciola with that which, descending from Monte Piastrajo, forms the limit to the territory of Barga, towards the Garfagnana, belonging to Modena. This limit, which rejoins the River Cerchio, between Castel Vecchio and Fiazzone, follows that river as far as Torrite Cava, which torrent shall in future separate the Tuscan territory, now the Duchy of Lucca, from the Lucchese district of Galliciano, which is to fall to His Royal Highness the Duke of Modena.

From thence, following up the ancient and irregular boundary, it will extend a little above Campolensi, as far as the township of Pietrasanta, the frontier of which remains in its present state, as regards the Duchy of Modena, until at Monte Carchio it touches the present Lucchese confine of Montignoso, whence following the eastern line, which divides it from the township of Pietrasanta, it will continue till near the Lake of Porta. And as it is mentioned in Article II, paragraph 3, that around this lake, which becomes Modenese, a precise margin is made out, here also the frontier-line will be traced out by Tuscan and Modenese Commissioners, and in the manner now fixed upon, as follows:—At the distance of 400 Tuscan braccia, measured on the shore from the mouth of the outlet of the lake of Porta, a line shall be extended of 1,530 braccia, following the direction of the footpath now existing, and which leads to a house, No. 16, so marked in the Tuscan Revenue-maps. From the extreme point of this line, and inclining to the footpath on the right, another line of 265 braccia is to be traced; then another third line, of 1,360 braccia, till it arrives at the canal of Seravezza, at 100 braccia from the mouth of the lake, into which it runs; from thence, following up the east side of the road, denominated Della Casetta, for the distance of 1,400 braccia, the whole configuration will be completed by a last line of 1,700 braccia, as far as the present boundary of Montignoso, at the distance of 400 braccia from the post-road, in which perimeter are to be considered as included, besides the maritime fort of Cinquale, together with the guard-house belonging to it, the sluices and the above-mentioned house with the road leading to it, all of which are afterwards to be given up to His Royal Highness the Duke of Modena.

2. His Royal Highness the Archduke of Modena, on assuming the possession assigned to him by the Congress of Vienna, but not ceded by the present Treaty, of the Lucchese territories of Montignoso, Minucciano, Castiglione, and Galliciano, as well as of Fivizzano, which is now Tuscan, while, on the one hand, he is relieved from all the obligations imposed upon him by the Court of Lucca for Castiglione, as settled by the Convention of the 4th of March, 1819, on the other hand, obliges himself to indemnify Tuscany for the capital laid out by her in constructing a military road from Fivizzano, according to the Act of the 5th of October, 1829, will, without waiting for anything save the immediate arrival of the Tuscan Commissioners, proceed to incorporate the district of Barga, which is specified above as being placed on the Modenese watershed of the Apennines, as also that surrounding the Lake of Porta, likewise described, and taken from the western extremity of the Tuscan territory of Pietrasanta, as well as in Lunigiana, the Tuscan districts of Albiano, Calice, Rico, and Terrarossa, preserving exactly the actual frontier towards Piedmont, and following in the direction of the new State of Parma in Lunigiana, the ancient boundary line described and drawn out in a coloured map annexed to this Treaty, namely, the present boundary which separates the Modenese district of Rochetta, from that which is now Tuscan; of Pontremoli, for the distance of 1,300 Viennese toises, and that sinuous boundary which separates from the Modenese

district of Mulazzo, the Tuscan one of Calice, between Casoni and Parana, for other 3,070 toises, simply united near Casoni by a short tract of new boundary in a straight line of 200 toises, after which a new branch of 2,540 toises between Parana and the nearest point of the frontier of Lusuolo near Castevoli; following at first the footpath of Tresana on Mount Coletta, and then descending to the left in the torrent called Canosilla. From this point the said frontier of Lusuolo will continue as far as the Magra Contana, distant 2,080 toises; from thence between Fornoli and Terrarossa, from the Magra to the torrent of Civiglia, the last new direct branch of 700 toises will be traced; passing over the road to Pontremoli, 300 toises below Piastra, and then following the old frontier-line which ascends to the Apennines to the distance of 8,770 toises, separating from the district of Bagnone, now belonging to Tuscany, and which becomes a part of Parma, the Modenese districts of Licciana and Varano on the Taverone, which remain Modenese, as well as Fivizzano. In this way the curved frontier-line in Lunigiana, between Modena and Parma, and which for the length of 19,360 toises will run from the various summits of the mountains which shut in the Magra, will consist of 15,920 toises of the old frontier and only 3,440 toises of entirely new, divided into three branches, easily traceable, the first of 200 toises, the second of 2,540, the third of 700, in the precise direction from west to east.

3. His Royal Highness the present Duke of Lucca, prospective Duke of Parma, without in the least assuming the government or title to the Duchy of Guastalla, which he renounces, and the right bank of the Enza, which he also renounces in favour of His Royal Highness the Duke of Modena, will make an immediate cession to the same Sovereign of one and the other territories by means of Parmesan Commissioners, who shall be elected for that purpose, as well as of the territories in Lunigiana in the manner hereunder defined at § 4; and at the same time His Royal Highness the Duke of Modena, by means of Modenese Commissioners, will directly give up to him the territories of Treschietto, Villafranca, Castevoli, and Mulazzo in Lunigiana, according to the above specified frontier-line, as well as the districts on the left bank of the Enza; by which means this river, which descends from Monte Giogo near Fivizzano, cutting at Lake Squincio the frontier on the Apennines preserved for the distance of three Italian miles between the Duchies of Modena and Parma, upon the mountains of Tendola and Malpasso, will, in future, serve as a limit between the two States, beginning at that lake and ending with the River Po. And whilst Modena acquires thereby on the heights the territory of Succiso placed between the Enza and the actual confine, it renounces that of Scurano, which is on its left; and in the same way it adds (to its territory) a little lower down, Vedriano and Gombio on the right, and loses Bazzano on the left, finally acquiring on the right the district of Ciano and those in the plain of Gattatico, Poviglio, and St. Giorgio, as far as where the valley runs down to the River Po above Brescello; so that by this means there will be only one line of territory united with Guastalla between the Po and the Mediterranean. And this Duchy of Guastalla, of which His Royal Highness the Duke of Modena, by the cessions which have been made to him, assumes the sovereignty and title, preserves, in the direction of the Lombardo-Venetian Kingdom, the same boundaries as at present divide it therefrom.

4. In the same way His Royal Highness the present Duke of Lucca, prospective Duke of Parma, in assuming, according to the terms of the Articles XCIX and CII of the Treaty of Vienna, the sovereign dominion of his new State, and in directly making over those grants that have been decided upon, taking the most prompt measures, in concert with the Sovereigns of Modena and Tuscany, for the due accomplishment of the new line of boundary according to the directions here laid down, and with the lines that have been already indicated in the plan, in order to avoid any sort of doubt or discussion at the important moment of the transfer of these several territories to new Sovereigns, and of the changes of intricate and ancient frontier-lines for new ones, that have been established as suiting better the nature of the ground, and as presenting many territorial and commercial advantages, will extend his immediate dominion, in concert with the Modenese Commissioners who have been appointed for that purpose, on Bazzano and Scurano on the left bank of the Enza, and on Treschietto, Villafranca, Castevoli, and Mulazzo, belonging to Modena, as well as Pontremoli, Bagnone, Merizzo, Fornoli, Groppoli, and Lusuolo, which belong to Tuscany, which latter will directly make over, in the name of His Royal Highness the Duke of Parma, to His Royal Highness the Duke of Modena, the territories already ceded of Albiano, Calice, Rico, and Terrarossa; it being understood that from the day of reversion the taxes are all to be in favour of the

Sovereign who enters into possession of the territory assigned to him by the present Treaty, excepting the arrears which remain in favour of the ceding party.

ARTICLE X.

The present Treaty, of which five copies have been made, together with the map concerning it, also signed as the Treaty is, by the different Plenipotentiaries, who also have placed on it the seals of their arms, shall be ratified; and the ratifications shall be exchanged at Florence in the space of two months, or sooner, if it be possible.

Done in Florence this 28th of November, in the year of grace 1844.

(Signed)	(L.S.)	N. CORSINI.
	(L.S.)	CAV. VACANI DI FORT' OLIVO, <i>General</i> .
	(L.S.)	A. RAFFAELLI.
	(L.S.)	G. FORNI.
	(L.S.)	CARREGA.

Separate Secret Article.

The Contracting Sovereigns agree that in case of any opposition (not to be expected) on the part of any Power, and that they, or their successors, should not be able to enter upon the possession of the territories exchanged, or should be disturbed in the peaceful possession of the same, from causes inherent in the territories themselves, or existing previously to the present Treaty, then all the stipulations this day concluded in virtue of their sovereign rights in the sense and in completion of the solemn Act of the Congress of Vienna, shall be regarded as non-existing, and that then all the provisions of the said Act of Congress shall either remain unchanged, or be revived in each respective case. So that the Duchy of Guastalla and the other Parmesan territories contemplated in this Treaty would remain to the Sovereign of Parma; His Royal Highness the Duke of Modena would come into possession of Pietrasanta and Barga, and His Imperial and Royal Highness the Grand Duke of Tuscany would retain the Vicariats of Pontremoli and Bagnone.

The present Separate and Secret Article shall have the same force and value as if it were written, word for word, in the Treaty of this day; it shall be ratified and the ratifications shall be exchanged at the same time with those of the above Treaty.

In witness whereof the respective Plenipotentiaries have signed it, and have affixed to it the seals of their arms.

Done in Florence, the 28th of November, in the year grace 1844.

(Signed)	(L.S.)	CARE. VACCANI DI FORT' OLIVO, <i>General</i> .
	(L.S.)	ANT. RAFAELLI.
	(L.S.)	G. FORNI.
	(L.S.)	CARREGA.
	(L.S.)	N. CORSINI.

No. 8.

Treaty between Austria and Modena, signed at Vienna, December 24, 1847.

SUA Maestà l'Imperatore d'Austria, e Sua Altezza Reale l'Arciduca Duca di Modena, animati dal comune desiderio di vie più stringere i vincoli di amicizia e di famiglia fra loro esistenti, e di adoperare colle loro forze riuniti al mantenimento della pace interna ed esterna e dell'ordine legale dei loro Stati, hanno convenuto di stipulare in questo riguardo un apposito Trattato.

A tal uopo nominavano a loro Plenipotenziarii:

Sua Maestà l'Imperatore d'Austria, Sua Altezza Serenissima Clemente Venceslao Lotario, Principe di Metternich-Winneburg, Duca di Portella, Conte di Königswart, Grande di Spagna di prima classe, Cavaliere di Toson d'Oro, Grancroce dell'Ordine Reale di Santo Stefano de Ungheria e del Merito Civile, &c., Ciambellano

Effettivo di Sua Maestà Imperiale Reale Apostolica, Consigliere Intimo, Ministro di Stato e Conferenza, Cancelliere di Casa, Corte, e Stato ;

E Sua Altezza Reale l'Arciduca Duca di Modena, il Conte Teodoro di Volo, suo Ciambellano ;

I quali, scambiate le loro plenipotenze, trovate regolari, convennero nei seguenti Articoli :—

ARTICOLO I.

In tutti i casi in cui gli Stati Italiani di Sua Maestà l'Imperatore d'Austria e di Sua Altezza Reale il Duca di Modena fossero esposto ad un attacco dall'estero, si obbligano le Alte Parti Contraenti a reciprocamente prestarsi aiuto e soccorso con tutti i mezzi di cui possono disporre, tostochè ne sia seguita la richiesta di una parte all'altra.

ARTICOLO II.

Entrando quindi gli Stati di Sua Altezza Reale il Duca di Modena nella linea di difesa delle Provincie Italiane di Sua Maestà l'Imperatore d'Austria, Sua Altezza Reale il Duca di Modena concede a Sua Maestà l'Imperatore il diritto di far marciare le truppe Imperiali sul territorio Modenese, e di far occupare quelle piazze forti, ogniquale volta l'interesse della comune difesa o precauzione militare lo esigessero.

ARTICOLO III.

Qualora nell'interno degli Stati di Sua Altezza Reale il Duca di Modena insorgessero circostanze atte a dar fondato timore che la tranquillità e l'ordine legale potessero essere turbati, oppur dovessero tal moti turbolenti crescere fino ad una vera sommossa, a reprimere la quale non bastassero i mezzi a disposizione del Governo, Sua Maestà l'Imperatore d'Austria si obbliga di prestare, appena ricevutone avviso, ogni militare soccorso necessario al mantenimento ed al ristabilimento della tranquillità e dell'ordine legale.

ARTICOLO IV.

Sua Altezza Reale il Duca di Modena si obbliga di non conchiudere, con altra Potenza, Convenzione alcuna militare, di qualsiasi specie, senza previo assenso di Sua Maestà Imperiale Reale Apostolica.

ARTICOLO V.

Mediante Convenzione Separata si regolerà immediatamente tutto quanto ha rapporto alle spese di mantenimento del truppe di una parte, dal momento ch'esse operano sul territorio dell'altra.

ARTICOLO VI.

Il presente Trattato debb'essere ratificato, e le ratificazioni avranno ad essere scambiate entro quattordici giorni, ed anche prima, quando sia possibile.

In fede di che, noi, Plenipotenziarii di Sua Maestà l'Imperatore d'Austria e di Sua Altezza Reale l'Arciduca Duca di Modena, abbiamo sottoscritto la presente Convenzione, ed appostovi i nostri sigilli muniti de nostri stemmi.

Dato in Vienna, il 24 Dicembre, 1847.

II PRINCIPE DI METTERNICH.

M. P. (L.S.)

II CONTE TEODORO DI VOLO.

M. P. (L.S.)

(Translation.)

HIS Majesty the Emperor of Austria and His Royal Highness the Archduke Duke of Modena, animated by a common desire of further strengthening the ties of family and of friendship existing between them, and contributing with their united forces to the maintenance of internal and external peace and legal order in their dominions, have agreed to conclude a Treaty suited to the object they have in view.

For this purpose they have appointed as their Plenipotentiaries :

His Majesty the Emperor of Austria, his Highness Clement-Wenceslas-Lothaire, Prince of Metternich-Winneburg, &c. ;

And His Royal Highness the Archduke Duke of Modena, the Count Theodore de Volo, &c.;

Who, having exchanged and verified their full powers, have agreed upon the following Articles:—

ARTICLE I.

Whenever the Italian States of His Majesty the Emperor of Austria and of His Royal Highness the Duke of Modena shall be exposed to an attack from without, the High Contracting Parties reciprocally engage to lend each other help and assistance with all the means in their power, as soon as a request to that effect shall have been made by one party to the other.

ARTICLE II.

The States of His Royal Highness the Duke of Modena entering henceforward in the line of defence of the Italian provinces of His Majesty the Emperor of Austria, His Royal Highness the Duke of Modena concedes to His Majesty the Emperor the right of marching the Imperial troops on the Modenese territory, and of occupying its fortresses whenever the interest of their common defence or military precaution shall so require.

ARTICLE III.

Should circumstances occur in the interior of the States of the Duke of Modena which might lead to the belief that tranquillity and legal order are likely to be disturbed, or when such turbulent movements shall have risen to the height of an insurrection, to repress which the means at the disposal of the Government should not be sufficient, His Majesty the Emperor of Austria promises, as soon as he shall have been informed of such disturbances, to lend every military assistance necessary for the maintenance and re-establishment of tranquillity and legal order.

ARTICLE IV.

His Royal Highness the Duke of Modena promises not to conclude any Military Convention whatever with another Power, without the previous consent of His Imperial and Royal Apostolic Majesty.

ARTICLE V.

Everything relating to the expense of maintaining the troops of one of the parties, as soon as they shall have begun to operate upon the territory of the other, will be settled immediately by a separate Convention.

ARTICLE VI.

The present Treaty shall be ratified, and the ratifications exchanged within fourteen days, and sooner, if possible.

In faith of which, we, &c.

Vienna, December 24, 1847.

The PRINCE DE METTERNICH.
(L.S.)

The COUNT DE VOLO.
(L.S.)

No. 9.

Treaty between Austria and Parma, dated February 17, 1848.

[This Treaty is the same, *mutatis mutandis*, as that concluded between Austria and Modena, December 24, 1847.]

TREATIES (Political and Territorial) be-
tween Austria and Italian States.

1815 to 1848.

*Presented to the House of Lords, by Command of
Her Majesty. 1859.*

LONDON :

PRINTED BY HARRISON AND SONS.

CONVENTION

BETWEEN

HER MAJESTY

AND

THE EMPEROR OF BRAZIL,

FOR THE

SETTLEMENT OF OUTSTANDING CLAIMS
BY A MIXED COMMISSION.

Signed at Rio de Janeiro, June 2, 1858.

Presented to both Houses of Parliament by Command of Her Majesty.
1859.

LONDON:
PRINTED BY HARRISON AND SONS.

CONVENTION between Her Majesty and the Emperor of Brazil,
for the Settlement of Outstanding Claims by a Mixed
Commission.

Signed at Rio de Janeiro, June 2, 1858.

[Ratifications exchanged at London, September 9, 1858.]

WHEREAS claims have at various times since the date of the Declaration of Independence of the Brazilian Empire been made upon the Government of Her Britannic Majesty on the part of Corporations, Companies, and private individuals, subjects of His Majesty the Emperor of Brazil, and upon the Government of His Majesty the Emperor of Brazil on the part of Corporations, Companies, and private individuals, subjects of Her Britannic Majesty; and whereas some of such claims are still pending, or are still considered by either of the two Governments to remain unsettled; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of Brazil, being of opinion that the settlement of all such claims will contribute much to the maintenance of the friendly feelings which subsist between the two countries, have resolved to make arrangements for that purpose by means of a Convention, and have named as their Plenipotentiaries to confer and agree thereupon, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Peter Campbell Scarlett, Companion of the Most Honourable Order of the Bath, and Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Court of Rio de Janeiro, &c., &c., &c.;

And His Majesty the Emperor of Brazil, the Most Illustrious and Most Excellent Sergio Teixeira de Macedo, Member of His Council, holding rank as His Envoy Extraordinary and Minister Plenipotentiary, Great Cross of the Order of the Rose, and of that of Christ of Portugal, Commander of the Orders of St. Gregory Magnus, of St. Maurice and St. Lazarus, and of the Imperial Angelic and Constantinian Order of St. George, Member of the Chamber of Deputies, &c., &c. &c.;

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HAVENDO em varias epocas desde a data da Declaração da Independencia do Imperio do Brazil, sido feitas diversas reclamações contra o Governo de Sua Majestade Britannica, da parte de Corporações, Companhias, e individuos subditos de Sua Majestade o Imperador do Brazil, e contra o Governo de Sua Majestade o Imperador do Brazil, da parte de Corporações, Companhias, e individuos subditos de Sua Majestade Britannica, e estando ainda algumas d'essas reclamações pendentes, ou consideradas por um ou outro dos dois Governos como não decididas; Sua Majestade a Rainha do Reino Unido da Gran Bretanha e Irlanda, e Sua Majestade o Imperador do Brazil, entendendo que a decisão de taes reclamações muito contribuirá para a manutenção dos sentimentos de amizade que subsistem entre os dois paises, resolverão entrar em ajustes para este effeito, por meio de uma Convenção, e nomearão para esse fim seus Plenipotenciarios, a saber:

Sua Majestade a Rainha do Reino Unido do Gran Bretanha e Irlanda, ao Honrado Peter Campbell Scarlett, Companheiro da Muita Honrada Ordem do Banho, Enviado Extraordinario e Ministro Plenipotenciario de Sua Majestade Britannica na Côrte do Rio de Janeiro, &c., &c., &c.;

E Sua Majestade o Imperador do Brazil, ao Illustrissimo e Excellentissimo Sergio Teixeira de Macedo, do Seu Conselho, Seu Enviado Extraordinario e Ministro Plenipotenciario em disponibilidade, Gran Cruz da Ordem da Rosa e da Portugueza de Christo, Commendador das Ordens de S. Gregorio Magno, de S. Mauricio e S. Lazaro, e da Imperial Angelica Constantiniana de S. Jorge, Membro da Camara dos Deputados, &c., &c., &c.;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed as follows :—

Os quaes, depois de se terem reciprocamente communicado seus plenos poderes, que serão achados em boa e devida forma, concordarão no seguinte :—

ARTICLE I.

The High Contracting Parties agree that all claims on the part of Corporations, Companies, or private individuals, subjects of Her Britannic Majesty, upon the Government of His Majesty the Emperor of Brazil, and all claims on the part of Corporations, Companies, or private individuals, subjects of His Majesty the Emperor of Brazil, upon the Government of Her Britannic Majesty, which may have been presented to either Government for its interposition with the other since the date of the Declaration of Independence of the Brazilian Empire, and which yet remain unsettled, or are considered to be still unsettled by either of the two Governments, as well as any other such claims which may be presented within the time specified in Article III hereinafter, shall be referred to two Commissioners, to be appointed in the following manner, that is to say, one Commissioner shall be named by Her Britannic Majesty, and one by His Majesty the Emperor of Brazil.

Her Britannic Majesty and His Majesty the Emperor of Brazil, respectively, shall appoint a Secretary to the Commission, who shall be empowered to act as Commissioner in case of the temporary incapacity or absence of the Commissioner of his Government, and also in case of the death, definite absence, or incapacity of the said Commissioner, or in the event of his omitting or ceasing to act as such, until the appointment of, and assumption of his duties by, another Commissioner in the place or stead of the said Commissioner.

In the case of the death, or definite absence, or incapacity of the Commissioner on either side, or in the event of the Commissioner on either side omitting or ceasing to act as such, Her Britannic Majesty, or His Majesty the Emperor of Brazil, respectively, shall forthwith name another person to act as Commissioner, in the place or stead of the Commissioner originally named.

In case of the Secretary on either side being appointed permanently Commissioner, Her Britannic Majesty or His Majesty the Emperor of Brazil, respectively, shall forthwith name another person to be Secretary in the place or stead of the Secretary originally named.

The Commissioners shall meet at Rio de Janeiro, at the earliest convenient period after they shall have been named, and shall,

ARTIGO I.

As Altas Partes Contractantes concordão em que todas as reclamações da parte de Corporações, Companhias, e individuos subditos de Sua Majestade Britannica contra o Governo de Sua Majestade o Imperador do Brazil, e todas as reclamações da parte de Corporações, Companhias, e individuos subditos de Sua Majestade o Imperador do Brazil contra o Governo de Sua Majestade Britannica, que tenham sido apresentadas a qualquer dos dois Governos para interpôr seus officios para com o outro desde a data da Declaração da Independencia do Imperio do Brazil, que ainda não estiverem decididas, ou forem consideradas como ainda não decididas por qualquer dos dois Governos, assim como quaesquer outras reclamações que se possam apresentar dentro do tempo especificado no Artigo III d'esta Convenção, serão submittidas a dois Commissarios nomeados da maneira seguinte, a saber: um Commissario será nomeado por Sua Majestade Britannica, e outro por Sua Majestade o Imperador do Brazil.

Sua Majestade Britannica e Sua Majestade o Imperador do Brazil nomearão respectivamente um Secretário para a Comissão, o qual terá o direito de servir de Commissario no caso de temporario impedimento ou auzencia do Commissario de seu Governo, e tambem no caso de morte, ou definitiva auzencia, ou impedimento do dito Commissario, ou no caso de deixar este de prestar-se ao exercicio de suas funcções, até a nomeação e posse de um novo Commissario nomeado em lugar do dito Commissario.

No caso de morte, ou definitiva auzencia, ou impedimento do Commissario de qualquer dos lados, ou no caso do Commissario de qualquer dos lados deixar de prestar-se ao serviço, Sua Majestade Britannica ou Sua Majestade o Imperador do Brazil nomeará immediata e respectivamente outra pessoa para servir de Commissario em lugar do precedentemente nomeado.

No caso de ser o Secretário de qualquer dos lados nomeado Commissario effectivo, Sua Majestade Britannica ou Sua Majestade o Imperador do Brazil nomeará immediata e respectivamente uma outra pessoa para servir de Secretário em lugar do Secretário precedentemente nomeado.

Os Commissarios se reunirão no Rio de Janeiro no periodo conveniente mais breye depois que tiverem sido nomeados; e antes

before proceeding to any business, make and subscribe a solemn Declaration that they will impartially and carefully examine and decide, to the best of their judgment, and according to justice and equity, without fear, favour, or affection to their own country, upon all such claims as shall be laid before them on the part of the Governments of Her Britannic Majesty and His Majesty the Emperor of Brazil, respectively: and such Declaration shall be entered on the record of their proceedings.

The Secretary on either side, when called upon to act as Commissioner for the first time, and before proceeding to act as such, shall make and subscribe a similar Declaration, which shall be entered in like manner as aforesaid.

The Commissioners shall, before proceeding to any other business, name a third person to act as an Arbitrator or Umpire, in any case or cases on which they may themselves differ in opinion.

If they should not be able to agree upon the selection of such a person, the Commissioner on either side shall name a person; and in each and every case in which the Commissioners may differ in opinion as to the decision which they ought to give, it shall be determined by lot which of the two persons so named shall be Arbitrator or Umpire in that particular case.

The person so to be chosen to be Arbitrator or Umpire shall, before proceeding to act as such in any case, make and subscribe a solemn Declaration, in a form similar to that which shall have already been made and subscribed by the Commissioners, which Declaration shall be entered on the record of their proceedings.

In the event of the death, absence, or incapacity of such person, or of his omitting, or declining, or ceasing to act as such Arbitrator or Umpire, another and different person shall be named as aforesaid to act as such Arbitrator or Umpire in the place or stead of the person so originally named as aforesaid, and shall make and subscribe such Declaration as aforesaid.

ARTICLE II.

The Commissioners shall then forthwith proceed to the investigation of the claims which shall be presented to their notice.

They shall investigate and decide upon such claims in such order and in such manner as they may think proper, but upon such evidence or information only as shall be furnished by or on behalf of the respective Governments.

They shall be bound to receive and peruse all written or printed documents or state-

de procederem a seus trabalhos, lavrarão e assignarão uma Declaração solenne, prometendo imparcial e cuidadosamente examinar e decidir, segundo os dictames da sua razão e em conformidade com a justiça e equidade, sem medo, favor, ou afeição a seus paizes, todas as reclamações que lhes forem apresentadas respectivamente da parte dos Governos de Sua Majestade Britannica e de Sua Majestade o Imperador do Brazil. Essa Declaração será lançada nas actas de suas sessões.

O Secretario de qualquer dos lados que pela primeira vez fôr chamado a servir de Commissario, deverá lavar e assignar uma Declaração similhante antes de entrar em exercicio, e essa Declaração será registrada da mesma maneira da precedente.

Os Commissarios, antes de procederem a outros trabalhos, nomearão uma terceira pessoa para servir de Arbitro ou Louvado em qualquer caso ou casos em que possam divergir de opinião.

Se não poderem concordar na nomeação da mesma pessoa, o Commissario de cada lado nomeará uma pessoa; e em todo e qualquer caso em que os Commissarios divergirem de opinião na decisão que tiverem de dar, a sorte decidirá qual d'essas duas pessoasserá o Arbitro ou Louvado para aquelle caso em particular.

A pessoa assim designada para Arbitro ou Louvado, antes de funcionar como tal em qualquer caso, deverá lavar e assignar uma Declaração solenne em forma similhante a quella que devem lavar e assignar os Commissarios, e esta Declaração será igualmente registrada no livro das actas.

No caso de morte, auzencia, ou impedimento dessa pessoa, ou no caso de dimittirse do emprego, ou cessar de prestar-se ao serviço de Arbitro ou Louvado, uma outra pessoa será nomeada pela forma descripta para empregar-se como Arbitro ou Louvado em lugar do precedentemente nomeado, e lavrará e assignará uma Declaração solenne como a ja mencionada.

ARTIGO II.

Os Commissarios procederão immediatamente ao exame das reclamações que forem levadas ao seu conhecimento.

Examinarão e decidirão de taes reclamações na ordem e da maneira que julgarem apropriada, mas unicamente segundo as provas e informações que lhes forem fornecidas pelos respectivos Governos, ou em nome d'elles.

Serão obrigados a receber e examinar todos os documentos escriptos ou impressos

ments which may be presented to them by or on behalf of the respective Governments, in support of or in answer to any claim, and to hear, if required, one person on each side on behalf of each Government, as counsel or agent for such Government, on each and every separate claim.

Should they fail to agree in opinion upon any individual claim, they shall call to their assistance the Arbitrator or Umpire whom they have agreed to name, or who may be determined by lot, as the case may be; and such Arbitrator or Umpire, after having examined the evidence adduced for and against the claim, and after having heard, if required, one person on each side as aforesaid, and consulted with the Commissioners, shall decide thereupon finally, and without appeal.

The decision of the Commissioners, and of the Arbitrator or Umpire, shall be given upon each claim in writing, and shall be signed by them respectively.

It shall be competent for each Government to name one person to attend the Commission as agent on its behalf, to present and support claims, and to answer claims made upon it, and to represent it generally in all matters connected with the investigation and decision thereof.

Her Majesty the Queen of Great Britain and Ireland, and His Majesty the Emperor of Brazil, hereby solemnly and sincerely engage to consider the decision of the Commissioners, or of the Arbitrator or Umpire, as the case may be, as absolutely final and conclusive upon each claim decided upon by them or him respectively, and to give full effect to such decisions without any objection, evasion, or delay whatsoever.

ARTICLE III.

Every claim shall be presented to the Commission within twelve months from the day of its first meeting, unless in any case where reasons for delay shall be established to the satisfaction of the Commission, or of the Arbitrator or Umpire in the event of the Commissioners differing in opinion thereupon; and then and in any such case, the period for presenting the claim may be extended to any time not exceeding six months longer.

The Commissioners shall be bound, under this Convention, to hold, for the consideration of the claims, at least eight sittings in each month, from the date of their first sitting until the completion of their labours.

The Commissioners shall be bound to examine and decide upon every claim within two years from the day of their first meeting, unless, on account of some unforeseen and

ou informações que lhes forem apresentados pelos respectivos Governos, ou em seu nome, em sustentação ou impugnação de qualquer reclamação, e a ouvirem, si isso fôr requerido, uma pessoa de qualquer dos lados por parte de qualquer dos Governos como seu advogado ou agente, em cada reclamação separada.

Não podendo os dois Commissarios achar-se de accordo em alguma reclamação, recorrerão ao Arbitro ou Louvado que tiverem nomeado, ou que a sorte designar; e esse Arbitro ou Louvado, depois de ter examinado as provas a favor e contra a reclamação, e de ter ouvido, sendo requerido, uma pessoa de qualquer dos lados, e de ter conferenciado com os Commissarios, decidirá o caso a final sem appelação.

A decisão dos Commissarios, assim como a do Arbitro ou Louvado, sobre cada reclamação, será dada por escripto e assignada.

Cada um dos Governos poderá nomear uma pessoa para assistir á Commissão como agente por sua parte para apresentar e sustentar reclamações, ou impugnar as reclamações contra elle feitas, e para represental-o em geral em todas as materias connexas com taes investigações e decisões.

Sua Majestade a Rainha da Gran Bretanha e Irlanda, e Sua Majestade o Imperador do Brazil, pela presente promettem solemne e sinceramente considerar a decisão dos Commissarios, ou do Arbitro ou Louvado, segundo o caso, como absolutamente final e conclusa sobre cada reclamação por elles, ou por elle, julgada, e a dar plena execução a taes decisões sem objecção, evasiva, ou demora.

ARTIGO III.

Todas as reclamações serão apresentadas á Commissão dentro de doze mezes, a datar do dia de sua primeira reunião, excepto no caso de se allegarem razões de demora julgadas satisfactorias pela Commissão, ou pelo Arbitro ou Louvado quando os Commissarios divergirem de opinião a este respeito; e nesse caso o periodo para apresentar a reclamação poderá ser prolongado por tempo que não exceda a seis mezes.

Os Commissarios por esta Convenção ficam obrigados a celebrar para o exame das reclamações ao menos oito sessões em cada mez, a começar da data de sua primeira reunião até ao fim de seus trabalhos.

Os Commissarios serão obrigados a examinar e decidir todas as reclamações dentro de dois annos a datar do dia de sua primeira reunião, excepto si, por causa de alguma

unavoidable suspension of the sittings, the two Governments may mutually agree to extend the time.

The Arbitrator or Umpire shall be bound to come to a final decision on any claim within fifteen days from the time of such claim being submitted to his consideration, unless the Commissioners consider a more extended period absolutely necessary.

It shall be competent for the Commissioners, or for the Arbitrator or Umpire if they differ, to decide in each case whether any claim has or has not been duly made, preferred, or laid before the Commission, either wholly or to any and what extent, according to the true intent and meaning of this Convention.

ARTICLE IV.

All sums of money which may be awarded by the Commission, or by the Arbitrator or Umpire, on account of any claim, shall be paid by the one Government to the other, as the case may be, within twelve months after the date of the decision, without interest, and without any deduction save as specified in Article VI hereinafter.

ARTICLE V.

The High Contracting Parties engage to consider the result of the proceedings of this Commission as a full, perfect, and final settlement of every claim upon either Government, arising out of any transaction of a date prior to the exchange of the ratifications of the present Convention; and further engage that every such claim, whether or not the same may have been presented to the notice of, made, preferred, or laid before the said Commission, shall, from and after the conclusion of the proceedings of the said Commission, be considered and treated as finally settled, barred, and thenceforth inadmissible.

ARTICLE VI.

The Commissioners and the Arbitrator or Umpire, with the assistance of the Secretaries, shall keep an accurate record and correct minutes or notes of all their proceedings, with the dates thereof, and shall appoint and employ a Clerk, if necessary, to assist them in the transaction of the business which may come before them.

Each Government shall pay to its Commissioner an amount of salary not exceeding six contos of reis, or six hundred and

suspensão imprevista e inevitável de suas sessões, os dois Governos concordarem mutuamente na prolongação do tempo.

O Arbitro ou Louvado será obrigado a dar a sua decisão final em qualquer reclamação dentro de quinze dias da data em que a reclamação fôr submettida á sua consideração, a menos de entenderem os Commissarios que é absolutamente necessario um periodo mais extenso.

Os Commissarios, ou o Arbitro ou Louvado se elles não poderem chegar a um accordo, serão os competentes para decidir em cada caso se a reclamação foi ou não devidamente feita ou apresentada no seu todo ou em alguma de suas partes, e qual delles, segundo o verdadeiro espirito e fim d' esta Convenção.

ARTIGO IV.

Todas as sommas que forem concedidas pelos Commissarios ou pelo Arbitro ou Louvado por conta de qualquer reclamação, serão pagas por aquelle dos dois Governos a quem competir ao outro dentro de doze mezes depois da data da decisão, sem juros, e sem deducção alguma, salva a que vai especificada no Artigo VI.

ARTIGO V.

As Altas Partes Contractantes promettem considerar o resultado das conferencias desta Comissão como pleno, perfeito, e definitivo ajuste de todas as reclamações contra cada um dos dois Governos, que tenham por origem qualquer transacção de data anterior á troca das ratificações da presente Convenção, e promettem mais considerar e tratar, desde a conclusão dos trabalhos da Comissão como decididas, e eliminadas, e de então por diante inadmissíveis todas e quaesquer dessas reclamações quer tenham quer não sido levadas ao conhecimento, feitas, apresentadas ou expostas a mesma Comissão.

ARTIGO VI.

Os Commissarios e o Arbitro ou Louvado, com a assistencia dos Secretarios, terão um accurado registro, e actas correctas ou notas de todos os seus trabalhos, com as respectivas datas, e nomearão e empregarão um Escripturario, se fôr necessario, para os ajudar no expediente dos negocios que vierem a sua presença.

Cada um dos Governos pagará ao seu Commissario um ordenado que não exceda de seis contos de reis, ou seis centas e

seventy-five pounds sterling a year, which amount shall be the same for both Governments.

Each Government shall pay to its Secretary an amount of salary not exceeding three contos, or three hundred and thirty-seven pounds ten shillings sterling a year, which amount shall be the same for both Governments.

The Secretary on either side, when acting as Commissioner, shall receive the same amount of salary a year as that paid to the Commissioner; it being understood that his salary as Secretary shall lapse during that time.

The amount of salary to be paid to the Arbitrator or Umpire shall be the same, in proportion to the time he may be occupied, as the amount paid a year to a Commissioner under this Convention.

The salary of the Clerk, if one is appointed, shall not exceed the sum of two contos, or two hundred and twenty-five pounds sterling a year.

The whole expenses of the Commission, including contingent expenses, shall be defrayed by a rateable deduction on the amount of the sums awarded by the Commissioners, or by the Arbitrator or Umpire, as the case may be; provided always that such deduction shall not exceed the rate of five per cent. on the sums so awarded.

The deficiency, if any, shall be defrayed by the two Governments.

ARTICLE VII.

The present Convention shall be ratified by Her Britannic Majesty, and by His Majesty the Emperor of Brazil; and the ratifications shall be exchanged at London as soon as may be within six months from the date hereof.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Rio de Janeiro, the second day of June, in the year of our Lord, one thousand eight hundred and fifty-eight.

(L.S.) P. CAMPBELL SCARLETT.
(L.S.) SERGIO T. DE MACEDO.

setenta e cinco libras esterlinas por anno, e cuja somma será a mesma para ambos os Governos.

Cada Governo pagará ao seu Secretario como ordenado uma somma que não exceda de tres contos de reis, ou trezentas e trinta e sete libras esterlinas e dez shillings por anno, e essa somma será sempre a mesma para cada Governo.

O Secretario de qualquer dos lados, em quanto servir como Commissario, receberá o mesmo ordenado annual que receber o Commissario, ficando entendido que cessa durante esse tempo o seu ordenado de Secretario.

O ordenado do Arbitro ou Louvado será o mesmo marcado annualmente por esta Convenção para cada Commissario, paga porem na proporção do tempo em que tiver sido empregado.

O ordenado do Escripturnario, se tiver de ser nomeado, não excederá de dois contos de reis, ou duzentas e vinte cinco libras esterlinas por anno.

Todas as despesas da Comissão, incluindo as contingentes, serão pagas por meio de uma proporcional deducção feita nas sommas mandadas pagar pelos Commissarios, ou pelo Arbitro ou Louvado, segundo o caso; com tanto que essa deducção não exceda de cinco por cento das sommas mandadas pagar.

Se houver deficit, será elle supprido pelos dois Governos.

ARTIGO VIII.

A presente Convenção será ratificada por Sua Magestade Britannica e por Sua Magestade o Imperador do Brazil, e as ratificações serão trocadas em Londres o mais breve que possa ser dentro de seis mezes contados da sua data.

Em fé do que os respectivos Plenipotenciarios a assignarão e lhe poserão os sellos de suas armas.

Feita no Rio de Janeiro, aos dois dias de Junho, do anno do nascimento de nosso Senhor Jesus Christo mil oito centos e cincoenta e oito.

(L.S.) P. CAMPBELL SCARLETT.
(L.S.) SERGIO T. DE MACEDO.

BRAZIL.

CONVENTION between Her Majesty and the Emperor
of Brazil, for the Settlement of Outstanding
Claims by a Mixed Commission.

Signed at Rio de Janeiro, June 2, 1858.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. 1859.*

LONDON:

PRINTED BY HARRISON AND SONS.

CONVENTION

BETWEEN

GREAT BRITAIN, AUSTRIA, FRANCE, PRUSSIA, RUSSIA,
SARDINIA, AND TURKEY,

RELATIVE TO

THE ORGANIZATION

OF THE

PRINCIPALITIES OF MOLDAVIA AND
WALLACHIA.

Signed at Paris, August 19, 1858.

Presented to both Houses of Parliament by Command of Her Majesty.
1859.

LONDON:
PRINTED BY HARRISON AND SONS.

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CONVENTION between Great Britain, Austria, France, Prussia,
Russia, Sardinia, and Turkey, relative to the Organization
of the Principalities of Moldavia and Wallachia.

Signed at Paris, August 19, 1858.

[*Ratifications exchanged at Paris, October 2, 1858.*]

LEURS Majestés la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, l'Empereur d'Autriche, l'Empereur des Français, le Roi de Prusse, l'Empereur de toutes les Russies, le Roi de Sardaigne, et l'Empereur des Ottomans, voulant, conformément aux stipulations du Traité conclu à Paris le 30 Mars, 1856, consacrer par une Convention leur entente finale sur l'organisation définitive des Principautés de Moldavie et de Valachie, ont désigné pour leurs Plénipotentiaires à l'effet de négocier et signer la dite Convention, savoir :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très Honorable Henri Richard Charles Comte Cowley, Vicomte Dangan, Baron Cowley, Pair du Royaume Uni, Membre du Conseil Privé de Sa Majesté Britannique, Chevalier Grand-Croix du Très Honorable Ordre du Bain, Ambassadeur Extraordinaire et Plénipotentiaire de Sa dite Majesté près Sa Majesté l'Empereur des Français ;

Sa Majesté l'Empereur d'Autriche, M. Joseph Alexandre Baron de Hübner, Grand-Croix des Ordres Impériaux de Léopold et de la Couronne de Fer, &c., &c., &c., Son Conseiller intime actuel, et Son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté l'Empereur des Français ;

Sa Majesté l'Empereur des Français, M. Alexandre Comte Colonna Walewski, Sénateur de l'Empire, Grand-Croix de l'Ordre Impérial de la Légion d'Honneur, &c., &c., &c., Son Ministre et Secrétaire d'Etat au Département des Affaires Etrangères ;

Sa Majesté le Roi de Prusse, M. Maximilien Frédéric Charles François Comte de Hatzfeldt-Wildenburg-Schöenstein, Chevalier de l'Ordre Royal de l'Aigle Rouge de première classe avec feuilles de chêne, &c., &c., &c., Son Conseiller Privé actuel, et Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur des Français ;

Sa Majesté l'Empereur de toutes les Russies, M. le Comte Paul Kisséleff, Chevalier des Ordres de Russie, décoré du double Portrait, en brillants, des Empereurs Nicolas et Alexandre II, &c., &c., &c., Son Aide-de-camp Général, Général d'Infanterie, Membre du Conseil de l'Empire, Son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté l'Empereur des Français ;

Sa Majesté le Roi de Sardaigne, M. Salvator Marquis de Villamarina, Grand-Croix de Son Ordre Royal des Saints Maurice et Lazare, &c., &c., &c., Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur des Français ;

Sa Majesté l'Empereur des Ottomans, Mohammed Fuad Pacha, Muchir et Vizir de l'Empire, décoré des Ordres Impériaux du Medjidié et du Mérite personnel, de première classe, de l'Ordre Militaire, &c., &c., &c., Son Ministre des Affaires Etrangères actuel ;

Lesquels se sont réunis en Conférence à Paris, munis de pleins pouvoirs, qui ont été reconnus en bonne et due forme, et ont arrêté les dispositions suivantes :—

ARTICLE I.

Les Principautés de Moldavie et de Valachie, constituées désormais sous la dénomination de *Principautés Unies de Moldavie et de Valachie*, demeurent placées sous la Suzeraineté de Sa Majesté le Sultan.

ARTICLE II.

En vertu des Capitulations émanées des Sultans Bajazet I, Mahomet II, Selim I, et Soliman II, qui constituent leur autonomie, en réglant leurs rapports avec la Sublime Porte, et que plusieurs Hatti-chérifs, notamment celui de 1834, ont consacrées ; conformément aussi aux Articles XXII et XXIII du Traité conclu à Paris, le 30 Mars, 1856, les Principautés continueront de jouir, sous la garantie collective des Puissances Contractantes, des privilèges et immunités dont elles sont en possession.

En conséquence, les Principautés s'administreront librement et en dehors de toute ingérence de la Sublime Porte, dans les limites stipulées par l'accord des Puissances garantes avec la Cour Suzeraine.

ARTICLE III.

Les pouvoirs publics seront confiés, dans chaque Principauté, à un Hospodar, et à une Assemblée Elective, agissant, dans les cas prévus par la présente Convention, avec le concours d'une Commission Centrale, commune aux deux Principautés.

ARTICLE IV.

Le pouvoir exécutif sera exercé par l'Hospodar.

ARTICLE V.

Le pouvoir législatif sera exercé collectivement par l'Hospodar, par l'Assemblée, et par la Commission Centrale.

ARTICLE VI.

Les lois d'intérêt spécial à chaque Principauté seront préparées par l'Hospodar, et votées par l'Assemblée.

Les lois d'intérêt commun aux deux Principautés seront préparées par la Commission Centrale, et votées par les Assemblées, auxquelles elles seront soumises par les Hospodars.

ARTICLE VII.

Le pouvoir judiciaire, exercé au nom de l'Hospodar, sera confié à des Magistrats nommés par lui, sans que nul puisse être distrait de ses juges naturels.

Une loi déterminera les conditions d'admission et d'avancement dans la Magistrature, en prenant pour base l'application progressive du principe de l'inamovibilité.

ARTICLE VIII.

Les Principautés serviront à la Cour Suzeraine un tribut annuel dont le montant demeure fixé à la somme de un million cinq cent mille piastres pour la Moldavie, et à la somme de deux millions cinq cent mille piastres pour la Valachie.

L'investiture sera, comme par le passé, conférée aux Hospodars par Sa Majesté le Sultan.

La Cour Suzeraine combinera avec les Principautés les mesures de défense de leur territoire, en cas d'agression extérieure ; et il lui appartiendra de provoquer, par une entente avec les Cours garantes, les mesures nécessaires pour le rétablissement de l'ordre, s'il venait à être compromis.

Comme par le passé, les Traités internationaux qui seront conclus par la Cour Suzeraine avec les Puissances étrangères, seront applicables aux Principautés dans tout ce qui ne portera pas atteinte à leurs immunités.

ARTICLE IX.

En cas de violation des immunités des Principautés, les Hospodars adresseront un recours à la Puissance Suzeraine, et s'il n'est pas fait droit à leur réclamation, ils pourront

la faire parvenir par leurs agents aux Représentants des Puissances garantes à Constantinople.

Les Hospodars se feront représenter auprès de la Cour Suzeraine par des Agents (*Capou-Kiaya*) nés Moldaves ou Valaques, ne relevant d'aucune juridiction étrangère, et agréés par la Porte.

ARTICLE X.

L'Hospodar sera élu à vie par l'Assemblée.

ARTICLE XI.

En cas de vacance et jusqu'à l'installation du nouvel Hospodar, l'administration sera dévolue au Conseil des Ministres, qui entrera de plein droit en exercice.

Ses attributions, purement administratives, seront limitées à l'expédition des affaires, sans qu'il puisse révoquer les fonctionnaires, autrement que pour délit constaté judiciairement.

Dans ce cas, il ne pourvoira à leur remplacement qu'à titre provisoire.

ARTICLE XII.

Lorsque la vacance se produira, si l'Assemblée est réunie, elle devra avoir procédé, dans les huit jours, à l'élection de l'Hospodar.

Si elle n'est pas réunie, elle sera convoquée immédiatement et réunie dans le délai de dix jours. Dans le cas où elle serait dissoute, il serait procédé à de nouvelles élections dans le délai de quinze jours ; et la nouvelle Assemblée serait également réunie dans le délai de dix jours. Dans les huit jours qui suivront sa réunion, elle devra avoir procédé à l'élection de l'Hospodar.

La présence des trois-quarts du nombre des membres inscrits sera exigée pour qu'il soit procédé à l'élection.

Dans le cas où, pendant les huit jours, l'élection n'aurait pas eu lieu, le neuvième jour, à midi, l'Assemblée procédera à l'élection, quel que soit le nombre des membres présents.

L'investiture sera demandée, comme par le passé ; elle sera donnée dans le délai d'un mois, au plus.

ARTICLE XIII.

Sera éligible à l'Hospodarat, quiconque, âgé de trente-cinq ans, et fils d'un père né Moldave ou Valaque, peut justifier d'un revenu foncier de trois mille ducats, pourvu qu'il ait rempli des fonctions publiques pendant dix ans, ou fait partie des Assemblées.

ARTICLE XIV.

L'Hospodar gouverne avec le concours de Ministres nommés par lui. Il sanctionne et promulgue les lois ; il peut refuser sa sanction. Il a le droit de grâce et celui de commuer les peines en matière criminelle, sans pouvoir intervenir autrement dans l'administration de la justice.

Il prépare les lois d'intérêt spécial à la Principauté, et notamment les budgets, et les soumet aux délibérations de l'Assemblée.

Il nomme à tous les emplois d'administration publique, et fait les règlements nécessaires pour l'exécution des lois.

La liste civile de chaque Hospodar sera votée par l'Assemblée, une fois pour toutes, lors de son avènement.

ARTICLE XV.

Tout acte émanant de l'Hospodar doit être contresigné par les Ministres compétents.

Les Ministres seront responsables de la violation des lois, et particulièrement de toute dissipation des deniers publics.

Ils seront justiciables de la Haute Cour de Justice et de Cassation.

Les poursuites pourront être provoquées par l'Hospodar ou par l'Assemblée.

La mise en accusation des Ministres ne pourra être prononcée qu'à la majorité des deux-tiers des membres présents.

ARTICLE XVI.

L'Assemblée Elective dans chaque Principauté sera élu pour sept ans, conformément aux dispositions électorales annexées à la présente Convention.

ARTICLE XVII.

L'Assemblée sera convoquée par l'Hospodar, et devra être réunie chaque année le premier Dimanche de Décembre.

La durée de chaque session ordinaire sera de trois mois.

L'Hospodar pourra, s'il y a lieu, prolonger la session. Il peut convoquer l'Assemblée extraordinairement, ou la dissoudre. Dans ce dernier cas, il est tenu de convoquer une nouvelle Assemblée, qui devra être réunie dans le délai de trois mois.

ARTICLE XVIII.

Le Métropolitain et les Evêques diocésains feront, de plein droit, partie de l'Assemblée.

La Présidence de l'Assemblée appartiendra au Métropolitain. Les Vice-Présidents et les Secrétaires seront élus par l'Assemblée.

ARTICLE XIX.

Le Président fixe les conditions auxquelles le public sera admis aux séances, sauf les cas d'exception qui seront prévus par le règlement intérieur.

Il sera dressé, par les soins du Président, un procès-verbal sommaire de chaque séance, qui sera inséré dans la Gazette officielle.

ARTICLE XX.

L'Assemblée discutera et votera les projets de loi qui lui seront présentés par l'Hospodar. Elle pourra les amender sous la réserve stipulée par l'Article XXXVI, quant aux lois d'intérêt commun.

ARTICLE XXI.

Si les Ministres ne sont pas membres des Assemblées, ils n'y auront pas moins entrée, et pourront prendre part à la discussion des lois, sans participer au vote.

ARTICLE XXII.

Le budget des recettes et celui des dépenses, préparés annuellement pour chaque Principauté, par les soins de l'Hospodar respectif, et soumis à l'Assemblée, qui pourra les amender, ne seront définitifs qu'après avoir été votés par elle.

Si le budget n'était pas voté en temps opportun, le pouvoir exécutif pourvoirait aux services publics, conformément au budget de l'année précédente.

ARTICLE XXIII.

Les différents fonds provenant, jusqu'à présent, de caisses spéciales, et dont le Gouvernement dispose à divers titres, devront être compris au budget général des recettes.

ARTICLE XXIV.

Le règlement définitif des comptes devra être présenté à l'Assemblée au plus tard dans un délai de deux ans, à partir de la clôture de chaque exercice.

ARTICLE XXV.

Aucun impôt ne pourra être établi ou perçu s'il n'a été consenti par l'Assemblée.

ARTICLE XXVI.

Comme toutes les lois d'intérêt commun ou spécial, et les règlements d'administration publique, les lois de finances seront insérées dans la Gazette officielle.

ARTICLE XXVII.

La Commission Centrale siègera à Fockshani.

Elle sera composée de seize membres ; huit Moldaves et huit Valaques. Quatre seront choisis par chaque Hospodar parmi les membres de l'Assemblée ou les personnes qui auront rempli de hautes fonctions dans le pays, et quatre par chaque Assemblée dans son sein.

ARTICLE XXVIII.

Les membres de la Commission Centrale conservent le droit de prendre part à l'élection des Hospodars dans l'Assemblée à laquelle ils appartiennent.

ARTICLE XXIX.

La Commission Centrale est permanente. Elle pourra cependant, lorsque ses travaux le lui permettront, s'ajourner pour un temps qui ne devra, en aucun cas, excéder quatre mois.

La durée des fonctions de ses membres, pour chaque Principauté, qu'ils aient été nommés par l'Hospodar ou choisis par les Assemblées, sera limitée à la durée de la Législature.

Toutefois, les fonctions des membres sortants ne cesseront qu'à l'installation des membres nouveaux.

Dans le cas où le mandat des deux Assemblées expirera simultanément, la Commission Centrale sera renouvelée en totalité pour les deux Principautés à l'ouverture des Assemblées nouvelles.

En cas de dissolution de l'une des Assemblées, le renouvellement n'aura lieu que pour ceux des membres de la Commission Centrale appartenant à la Principauté dont l'Assemblée sera ré-élue.

Les membres sortants pourront être choisis de nouveau.

ARTICLE XXX.

Les fonctions de membre de la Commission Centrale seront rétribuées.

ARTICLE XXXI.

La Commission Centrale nommera son Président.

Dans le cas où les suffrages se partageraient également entre deux candidats, il sera décidé par la voie du sort.

Les fonctions du Président cesseront avec son mandat de Membre de la Commission Centrale ; elles pourront être renouvelées.

En cas de partage égal des voix dans les délibérations, la voix du Président sera prépondérante.

La Commission Centrale pourvoira à son règlement intérieur. Ses dépenses de toute nature seront mises, par moitié, à la charge des deux Principautés.

ARTICLE XXXII.

Les dispositions constitutives de la nouvelle organisation des Principautés sont placées sous la sauvegarde de la Commission Centrale.

Elle pourra signaler aux Hospodars les abus qu'il lui paraîtrait urgent de réformer, et leur suggérer les améliorations qu'il y aurait lieu d'introduire dans les différentes branches de l'administration.

ARTICLE XXXIII.

Les Hospodars pourront saisir la Commission Centrale de toutes les propositions qu'il leur paraîtrait utile de convertir en projets de lois communes aux deux Principautés.

La Commission Centrale préparera les lois d'intérêt général communes aux deux Principautés, et soumettra ces lois, par l'intermédiaire des Hospodars, aux délibérations des Assemblées.

ARTICLE XXXIV.

Sont considérées comme lois d'intérêt général toutes celles qui ont pour objet l'unité de législation, l'établissement, le maintien, ou l'amélioration de l'union douanière, postale, télégraphique, la fixation du taux monétaire, et les différentes matières d'utilité publique communes aux deux Principautés.

ARTICLE XXXV.

Une fois constituée, la Commission Centrale devra s'occuper spécialement de codifier les lois existantes, en les mettant en harmonie avec l'Acte constitutif de la nouvelle organisation.

Elle révisera les Règlements organiques, ainsi que les Codes civil, criminel, de commerce, et de procédure, de telle manière que, sauf les lois d'intérêt purement local, il n'existe plus désormais qu'un seul et même corps de législation, qui sera exécutoire dans les deux Principautés, après avoir été voté par les Assemblées respectives, sanctionné et promulgué par chaque Hospodar.

ARTICLE XXXVI.

Si les Assemblées introduisent des amendements dans les projets de loi d'intérêt commun, le projet amendé sera renvoyé à la Commission Centrale, qui appréciera et arrêtera un projet définitif que les Assemblées ne pourront plus qu'adopter ou rejeter dans son ensemble.

La Commission Centrale sera tenue d'adopter les amendements qui auront été votés à la fois par les deux Assemblées.

ARTICLE XXXVII.

Les lois d'intérêt spécial à chacune des Principautés ne seront sanctionnées par l'Hospodar qu'après avoir été communiquées par lui à la Commission Centrale, qui aura à apprécier si elles sont compatibles avec les dispositions constitutives de la nouvelle organisation.

ARTICLE XXXVIII.

Il sera institué une Haute Cour de Justice et de Cassation commune aux deux Principautés. Elle siégera à Fockshani. Il sera pourvu par une loi à sa constitution.

Ses membres seront inamovibles.

ARTICLE XXXIX.

Les arrêts rendus par les Cours et les jugements prononcés par les Tribunaux, dans l'une et l'autre Principauté, seront portés exclusivement devant cette Cour en cassation.

ARTICLE XL.

Elle exercera un droit de censure et de discipline sur les Cours d'Appel et les Tribunaux. Elle aura droit de juridiction exclusive sur ses propres membres en matière pénale.

ARTICLE XLI.

Comme haute Cour de Justice, elle connaîtra des poursuites qui auront été provoquées contre les Ministres par l'Hospodar ou par l'Assemblée, et jugera sans appel.

ARTICLE XLII.

Les milices régulières existant actuellement dans les deux Principautés recevront une organisation identique pour pouvoir, au besoin, se réunir et former une armée unique.

Il y sera pourvu par une loi commune.

Il sera, en outre, procédé annuellement à l'inspection des milices des deux Principautés par des Inspecteurs-Généraux, nommés tous les ans, alternativement par chaque Hospodar. Ces Inspecteurs seront chargés de veiller à l'entière exécution des dispositions destinées à conserver aux milices tous les caractères de deux corps d'une même armée.

Le chiffre des milices régulières, fixé par les Réglements organiques, ne pourra être augmenté de plus d'un tiers, sans une entente préalable avec la Cour Suzeraine.

ARTICLE XLIII.

Les milices devront être réunies toutes les fois que la sûreté de l'intérieur ou celle des frontières serait menacée. La réunion pourra être provoquée par l'un ou l'autre Hospodar, mais elle ne pourra avoir lieu que par suite de leur commun accord, et il en sera donné avis à la Cour Suzeraine.

Sur la proposition des Inspecteurs, les Hospodars pourront également réunir, en tout ou en partie, les milices en camp de manœuvres ou pour les passer en revue.

ARTICLE XLIV.

Le Commandant-en-chef sera désigné alternativement par chaque Hospodar, lorsqu'il y aura lieu de réunir les milices. Il devra être Moldave ou Valaque de naissance. Il pourra être révoqué par l'Hospodar qui l'aura nommé. Le nouveau Commandant-en-chef sera, dans ce cas, désigné par l'autre Hospodar.

ARTICLE XLV.

Les deux milices conserveront leurs drapeaux actuels ; mais ces drapeaux porteront à l'avenir une banderole de couleur bleue, conforme au modèle annexé à la présente Convention.

ARTICLE XLVI.

Les Moldaves et les Valaques seront tous égaux devant la loi, devant l'impôt, et également admissibles aux emplois publics, dans l'une et l'autre Principauté.

Leur liberté individuelle sera garantie. Personne ne pourra être retenu, arrêté, ni poursuivi que conformément à la loi.

Personne ne pourra être exproprié que légalement, pour cause d'intérêt public, et moyennant indemnité.

Les Moldaves et les Valaques de tous les rites Chrétiens jouiront également des droits politiques. La jouissance de ces droits pourra être étendue aux autres cultes par des dispositions législatives.

Tous les privilèges, exemptions, ou monopoles, dont jouissent encore certaines classes, seront abolis ; et il sera procédé sans retard à la révision de la loi qui règle les rapports des propriétaires du sol avec les cultivateurs, en vue d'améliorer l'état des paysans.

Les institutions municipales, tant urbaines que rurales, recevront tous les développements que comportent les stipulations de la présente Convention.

ARTICLE XLVII.

Jusqu'à ce qu'il ait été procédé à la révision prévue par l'Article XXXV, la législation actuellement en vigueur dans les Principautés est maintenue dans les dispositions qui ne sont pas contraires aux stipulations de la présente Convention.

ARTICLE XLVIII.

A l'effet de satisfaire à l'Article XXV du Traité du 30 Mars, 1856, un Hattichérif, textuellement conforme aux stipulations de la présente Convention, promulguera

C

les dispositions qui précèdent, dans un délai de quinze jours, au plus tard, à partir de l'échange des ratifications.

ARTICLE XLIX.

Au moment de la publication du dit Hatti-chérif, l'administration sera remise par les Caimacams actuels, dans chaque Principauté, à une Commission intérimaire (*Caimacamie*), constituée conformément aux dispositions du Règlement organique.

En conséquence, ces Commissions seront composées du Président du Divan princier, du Grand Logothète, et du Ministre de l'Intérieur, qui étaient en fonctions sous les derniers Hospodars avant l'installation, en 1856, des administrations provisoires.

Les dites Commissions s'occuperont immédiatement de la confection des listes électorales, qui devront être dressées et affichées dans un délai de cinq semaines. Les élections auront lieu trois semaines après la publication des listes. Le dixième jour qui suivra, les Députés devront être réunis, dans chaque Principauté, à l'effet de procéder, dans les délais établis ci-dessus, à l'élection des Hospodars.

ARTICLE L.

La présente Convention sera ratifiée, et les ratifications en seront échangées à Paris dans le délai de cinq semaines, ou plus tôt si faire se peut.

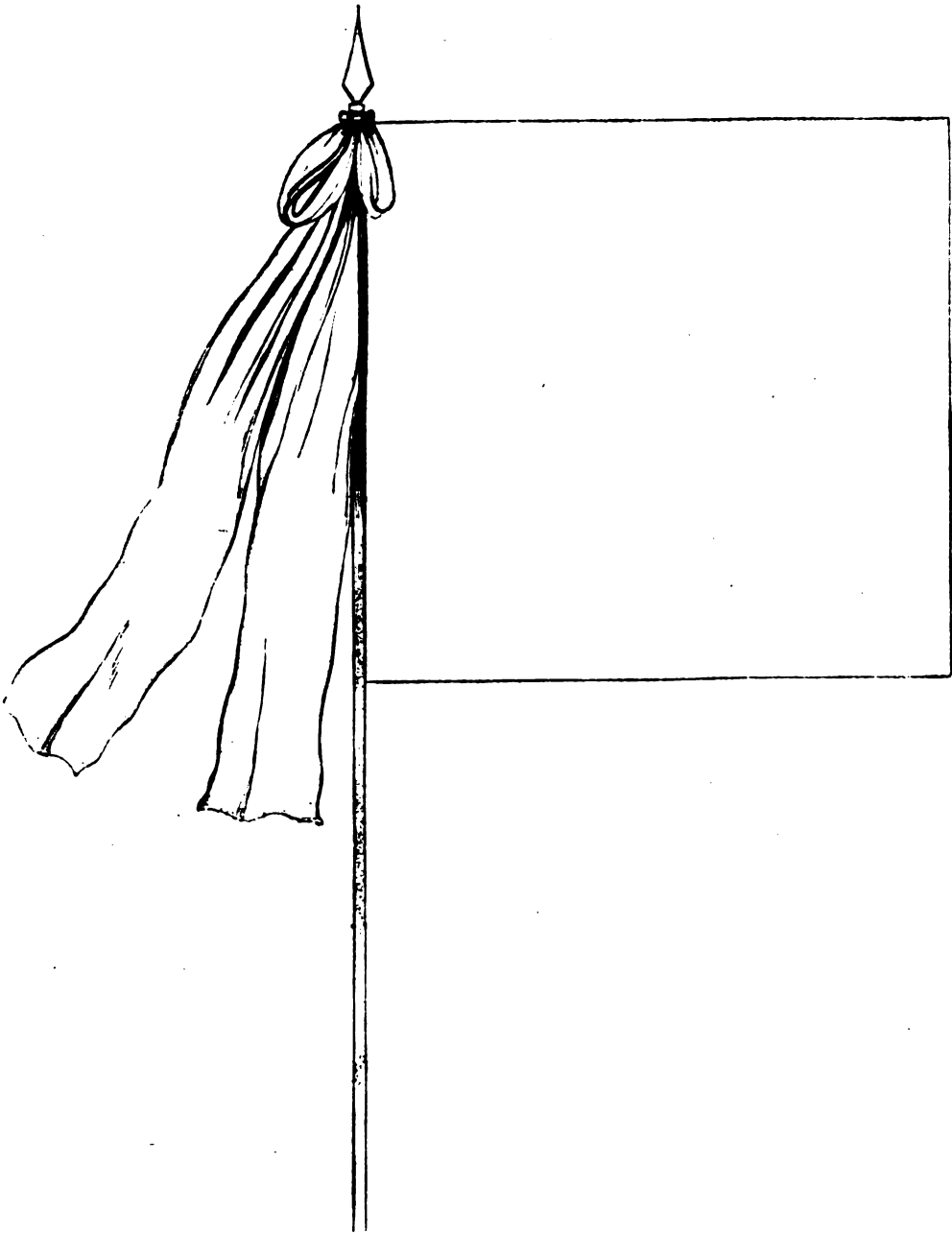
En foi de quoi, les Plénipotentiaires respectifs l'ont signée, et y ont apposé le sceau de leurs armes.

Fait à Paris, le 19 Août, 1858.

(L.S.)	COWLEY.
(L.S.)	HUBNER.
(L.S.)	A. WALEWSKI.
(L.S.)	C. M. D'HATZFELDT.
(L.S.)	CTE. DE KISSELEFF.
(L.S.)	DE VILLAMARINA.
(L.S.)	FUAD.

ANNEXES.

Premier Annexe à la Convention du 19 Août, 1858, en
conformité de l'Article XLV de cette Convention.



C.
H.
A. W.
C. M. D'H.
C. P. K.
D. V.
F^d.

Deuxième Annexe.

Stipulations Electorales annexées à la Convention conclue à Paris le 19 Août, 1858, entre Leurs Majestés la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, l'Empereur d'Autriche, l'Empereur des Français, le Roi de Prusse, l'Empereur de toutes les Russies, le Roi de Sardaigne, et l'Empereur des Ottomans.

ARTICLE I.

L'Assemblée Elective se compose, dans chaque Principauté, de membres élus par les districts et par les villes. Le Métropolitain et les Evêques diocésains en font partie de plein droit.

ARTICLE II.

Les électeurs sont ou primaires ou directs.

ARTICLE III.

Est électeur primaire, dans les districts, quiconque justifie d'un revenu foncier de cent ducats au moins.

ARTICLE IV.

Est électeur direct :

Dans les districts, quiconque justifie d'un revenu foncier de mille ducats au moins.

Dans les villes, quiconque justifie d'un capital foncier, industriel, ou commercial, de six mille ducats, au moins, lui appartenant en propre ou dotal.

ARTICLE V.

Nul ne pourra être électeur s'il n'est âgé de vingt-cinq ans révolus, et né ou naturalisé Moldave ou Valaque.

ARTICLE VI.

Ne peuvent être électeurs :

1. Les individus qui relèvent d'une juridiction étrangère.
2. Les interdits.
3. Les faillis non réhabilités.
4. Ceux qui auront été condamnés à des peines afflictives et infamantes, ou seulement infamantes.

ARTICLE VII.

Les listes électorales sont dressées annuellement dans chaque district, par les soins de l'Administration. Elles seront publiées et affichées le premier Dimanche de Janvier, partout où besoin sera.

Les réclamations seront portées devant l'Administration, dans les trois semaines qui suivront la publication des listes. Les réclamants pourront se pourvoir auprès du tribunal de district, qui statuera d'urgence et en dernier ressort.

ARTICLE VIII.

Tout électeur pourra réclamer l'inscription ou la radiation de tout individu omis ou indûment inscrit sur la liste dont lui-même fait partie.

ARTICLE IX.

Est éligible indistinctement dans tous les collèges, quiconque, étant né ou naturalisé Moldave ou Valaque, sera âgé de trente ans révolus, et justifiera d'un revenu de quatre cents ducats, au moins.

ARTICLE X.

Les électeurs primaires, dans les districts, nomment dans chaque arrondissement respectif (sous administration) trois électeurs, lesquels, réunis au chef-lieu de district, éliront un député par district.

ARTICLE XI.

Les électeurs directs, dans les districts, éliront deux députés par district.

ARTICLE XII.

Dans les villes, les électeurs directs éliront :

A Bucharest et à Jassy, trois députés ;

A Craïova, Ploiesti, Ibraïla, Galatz, et Ismaïl, deux députés ;

Dans les autres villes, chefs-lieux de districts, un député.

ARTICLE XIII.

Les électeurs de chaque catégorie s'assembleront séparément, en collèges spéciaux, pour procéder à leurs opérations respectives.

ARTICLE XIV.

Les collèges électoraux seront convoqués par le pouvoir exécutif trois semaines, au moins, avant le jour fixé pour l'élection.

ARTICLE XV.

Le scrutin pour l'élection des députés est secret.

ARTICLE XVI.

L'élection a lieu à la majorité des suffrages exprimés.

Si aucun des candidats n'a obtenu la majorité, il sera procédé à un second tour de scrutin, et le candidat qui aura réuni le plus grand nombre de suffrages sera élu.

ARTICLE XVII.

Les opérations électorales sont vérifiées par l'Assemblée, qui est, seule, juge de leur validité.

ARTICLE XVIII.

Le député élu dans plusieurs circonscriptions électorales, doit faire connaître son option au Président de l'Assemblée dans les dix jours qui suivront la déclaration de la validité de cette élection.

Faute par lui d'avoir opté dans ce délai, il y sera pourvu par la voie du sort.

ARTICLE XIX.

En cas de vacance par suite d'option, décès, démission ou autrement, le collège électoral, qui doit pourvoir à la vacance, sera réuni dans le délai de trois mois.

ARTICLE XX.

Aucun membre de l'Assemblée ne peut, pendant la durée de la session, être arrêté ni poursuivi en matière pénale, sauf le cas de flagrant délit, qu'après que l'Assemblée a autorisé la poursuite.

ARTICLE XXI.

Toute personne qui se sera fait inscrire sur les listes électorales au moyen de déclarations frauduleuses, ou en dissimulant l'une des incapacités prévues, ou qui aura réclamé et obtenu son inscription sur plusieurs listes, ou qui aura pris part au vote quoique non-inscrite ou déchue du droit électoral, sera punie d'une amende de cent ducats au moins, et de mille ducats au plus, ou d'un emprisonnement de huit jours au moins, et de trois mois au plus.

ARTICLE XXII.

A défaut de l'initiative du Ministère Public, dix électeurs réunis auront le droit d'intenter un procès criminel: 1, à tout individu qui, pendant la durée des opérations électorales, aura soustrait, ajouté, ou altéré des bulletins; 2, à tous ceux qui auront troublé les opérations électorales et porté atteinte à la liberté du vote, par manœuvres frauduleuses, violences, ou menaces.

ARTICLE XXIII.

Les stipulations électorales composant les vingt-deux Articles ci-dessus devant être annexées à la Convention en date de ce jour 19 Août, conformément à l'Article XVI de la dite Convention, les Plénipotentiaires respectifs ont également signé et scellé de leurs armes le présent Acte qui les contient.

Paris, le 19 Août, 1858.

(L S.)	COWLEY.
(L.S.)	HUBNER.
(L.S.)	A. WALEWSKI.
(L.S.)	C. M. D'HATZFELDT.
(L.S.)	CTE. DE KISSELEFF.
(L.S.)	DE VILLAMARINA.
(L.S.)	FUAD.

(Translation.)

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of all the Russias, the King of Sardinia, and the Emperor of the Ottomans, wishing, in conformity with the stipulations of the Treaty concluded at Paris on the 30th of March, 1856, to record in a Convention their final agreement in regard to the definitive organization of the Principalities of Moldavia and Wallachia, have named as their Plenipotentiaries for the purpose of negotiating and signing the said Convention, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry Richard Charles, Earl Cowley, Viscount Dangan, Baron Cowley, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Her said Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French ;

His Majesty the Emperor of Austria, M. Joseph Alexander Baron de Hübner, Grand Cross of the Imperial Orders of Leopold and of the Iron Crown, &c., &c., &c., His actual Privy Councillor, and His Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French ;

His Majesty the Emperor of the French, M. Alexandre Count Colonna Walewski, a Senator of the Empire, Grand Cross of the Imperial Order of the Legion of Honour, &c., &c., &c., His Minister and Secretary of State for Foreign Affairs ;

His Majesty the King of Prussia, M. Maximilian Frederick Charles Francis Count of Hatzfeldt-Wildenburg-Schöenstein, Knight of the Royal Order of the Red Eagle of the first class with Oak Leaves, &c., &c., &c., His actual Privy Councillor, and His Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French ;

His Majesty the Emperor of all the Russias, the Count Paul Kisseleff, Knight of the Orders of Russia, decorated with the double Portrait, in diamonds, of the Emperors Nicholas and Alexander II, &c., &c., &c., His Aide-de-camp General, a General of Infantry, a Member of the Council of the Empire, His Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of the French ;

His Majesty the King of Sardinia, M. Salvator Marquis de Villamarina, Grand Cross of His Royal Order of St. Maurice and St. Lazarus, &c., &c., &c., His Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French ;

His Majesty the Emperor of the Ottomans, Mohammed Fuad Pasha, Muchir and Vizier of the Empire, decorated with the Imperial Orders of the Medjidie and of Personal Merit of the first class, of the Military Order, &c., &c., &c., His Minister for Foreign Affairs ;

Who have met in Conference at Paris, furnished with full powers which have been found in good and due form, and have agreed upon the following arrangements :—

ARTICLE I.

The Principalities of Moldavia and Wallachia, constituted henceforward under the denomination of *United Principalities of Moldavia and Wallachia*, are placed under the Suzerainty of His Majesty the Sultan.

ARTICLE II.

In virtue of the Capitulations issued by the Sultans Bajazet I, Mahomet II, Selim I, and Soliman II, which constitute their self-government, settling their relations with the Sublime Porte, and which are recorded in various Hatti-sherifs, specially that of 1834 ; conformably also to Articles XXII and XXIII of the Treaty concluded at Paris on the 30th of March, 1856, the Principalities shall continue to enjoy, under the collective guarantee of the Contracting Powers, the privileges and immunities of which they are in possession.

Consequently, the Principalities shall carry on their own administration freely and exempt from any interference of the Sublime Porte, within the limits stipulated by the agreement of the guaranteeing Powers with the Suzerain Court.

ARTICLE III.

The public powers shall be confided, in each Principality, to a Hospodar and an Elective Assembly, acting, in the cases provided for in the present Convention, with the concurrence of a Central Commission, common to both Principalities.

ARTICLE IV.

The executive power shall be exercised by the Hospodar.

ARTICLE V.

The legislative power shall be exercised collectively by the Hospodar, the Assembly, and the Central Commission.

ARTICLE VI.

The laws which specially concern each Principality shall be prepared by the Hospodar, and voted by the Assembly.

The laws which concern both Principalities in common shall be prepared by the Central Commission, and voted by the Assemblies, to which they shall be submitted by the Hospodars.

ARTICLE VII.

The judicial power, exercised in the name of the Hospodar, shall be confided to Magistrates appointed by him; but no person shall be withdrawn from his natural judges.

A law shall determine the conditions of admission and promotion in the Magistracy, adopting for its basis the progressive application of the principle of irremoveableness.

ARTICLE VIII.

The Principalities shall pay to the Suzerain Court an annual tribute, the amount of which is fixed at the sum of one million five hundred thousand piastres for Moldavia, and at the sum of two millions five hundred thousand piastres for Wallachia.

Investiture shall be, as heretofore, conferred upon the Hospodars by His Majesty the Sultan.

The Suzerain Court shall arrange with the Principalities the measures for the defence of their territory, in case of external aggression; and it will be for that Court to initiate, by an understanding with the guaranteeing Powers, the measures necessary for the re-establishment of order, in case it should be compromised.

As hitherto, the international Treaties which shall be concluded by the Suzerain Court with foreign Powers, shall be applicable to the Principalities in all that shall not prejudice their immunities.

ARTICLE IX.

In the event of a violation of the immunities of the Principalities, the Hospodars shall address a representation to the Suzerain Power, and if their representation be not attended to, they may communicate it through their agents to the Representatives of the guaranteeing Powers at Constantinople.

The Hospodars shall be represented at the Suzerain Court by agents (*Capou-Kiaya*), who shall be native-born Moldavians or Wallachians, not holding of any foreign jurisdiction, and accepted by the Porte.

ARTICLE X.

The Hospodar shall be elected for life by the Assembly.

ARTICLE XI.

In case of a vacancy, and until the installation of the new Hospodar, the administration shall devolve on the Council of Ministers, which shall enter thereupon as of full right.

Its functions, which are purely administrative, shall be limited to the transaction of business, without its being competent for them to dismiss functionaries, unless for an offence judicially proved.

In that case it shall only supply their places provisionally.

ARTICLE XII.

When the vacancy shall occur, if the Assembly is in session, it must proceed within eight days to the election of the Hospodar.

If it be not in session, it shall be immediately convoked, and assembled within ten days. In case it should be dissolved, new elections shall take place within fifteen days, and the new Assembly shall also meet within ten days. Within eight days after its meeting, it shall be bound to have proceeded to the election of the Hospodar.

The presence of three-fourths of the number of members inscribed shall be necessary in order to proceed to the election.

In case the election shall not have taken place within the eight days, on the ninth day, at noon, the Assembly shall proceed to the election, whatever number of members be present.

Investiture shall be applied for as heretofore; it shall be given in a month at farthest.

ARTICLE XIII.

Every person shall be eligible to the Hospodorate, who being thirty-five years of age, and son of a native-born Moldavian or Wallachian father, can prove himself possessed of an income of three thousand ducats derived from real property, provided he has fulfilled public functions for the space of ten years, or has been a member of the Assemblies.

ARTICLE XIV.

The Hospodar governs with the concurrence of Ministers appointed by himself. He sanctions and promulgates the laws; he may refuse his sanction. He has the right of pardon, and that of commuting punishments in criminal matters, without the power of otherwise interposing in the administration of justice.

He prepares the laws which specially concern the Principality, and specifically the budgets, and submits them to the deliberations of the Assembly.

He appoints to all posts in the public administration, and makes the regulations necessary for the execution of the laws.

The Civil List of each Hospodar shall be voted by the Assembly, once for all, at the time of his accession.

ARTICLE XV.

Every act emanating from the Hospodar must be countersigned by the competent Ministers.

The Ministers shall be responsible for violation of the laws, and particularly for any waste of public money.

They shall be triable by the High Court of Justice and Cassation.

Prosecutions may be instituted by the Hospodar or by the Assembly.

The prosecution of the Ministers cannot be ordered but by a majority of two-thirds of the members present.

ARTICLE XVI.

The Elective Assembly in each Principality shall be elected for seven years, conformably to the electoral arrangements annexed to the present Convention.

ARTICLE XVII.

The Assembly shall be convoked by the Hospodar, and shall meet every year on the first Sunday in December.

The duration of each ordinary session shall be three months.

The Hospodar may, if there be occasion, prolong the session. He may convoke the Assembly extraordinarily, or dissolve it. In this last case, he is bound to convoke a new Assembly, which shall meet within three months.

ARTICLE XVIII.

The Metropolitan and the Diocesan Bishops shall, as of full right, form part of the Assembly.

The Presidency of the Assembly shall belong to the Metropolitan. The Vice-Presidents and Secretaries shall be elected by the Assembly.

ARTICLE XIX.

The President fixes the conditions on which the public shall be admitted to the sittings, save as to exceptional cases which may be provided for by internal regulations.

There shall be prepared, under the direction of the President, a brief minute of each sitting, which shall be published in the Official Gazette.

ARTICLE XX.

The Assembly shall discuss and vote the drafts of laws which shall be presented to it by the Hospodar. It may amend them, subject to the reservation stipulated by Article XXXVI with regard to laws of general interest.

ARTICLE XXI.

If the Ministers are not members of the Assemblies, they shall nevertheless have the right to attend there, and may take part in the discussion of laws, without, however, the power of voting.

ARTICLE XXII.

The budget of income and that of expenditure, prepared annually for each Principality, under the direction of the respective Hospodars, and submitted to the Assembly, which may amend the same, shall not be definitive until after having been voted by it.

If the budget be not voted in sufficient time, the Executive power shall provide for the public services, according to the budget of the previous year.

ARTICLE XXIII.

The different revenues arising, up to the present time, from special sources, and which the Government appropriates on various authorities, shall be included in the general budget of income.

ARTICLE XXIV.

The definitive statement of accounts shall be presented to the Assembly in two years, at latest, from the close of each financial period.

ARTICLE XXV.

No tax can be established or collected unless assented to by the Assembly.

ARTICLE XXVI.

The laws of finance, as well as all laws of common or special interest, and regulations of public administration, shall be published in the Official Gazette.

ARTICLE XXVII.

The Central Commission shall sit at Fockshani.

It shall be composed of sixteen members ; eight Moldavians and eight Wallachians. Four shall be chosen by each Hospodar from among the members of the Assembly, or persons who have filled high offices in the country, and four by each Assembly from its own body.

ARTICLE XXVIII.

The members of the Central Commission retain the right to take part in the election of Hospodars in the Assembly to which they belong.

ARTICLE XXIX.

The Central Commission is permanent. It may, however, when its business permits, adjourn for a period which shall in no case exceed four months.

The duration of the functions of its members, for each Principality, whether appointed by the Hospodar, or chosen by the Assemblies, shall be limited to the duration of the Legislature.

The functions of the retiring members shall, however, not cease until the installation of the new members.

In case the term of both Assemblies should expire at the same time, the Central Commission shall be wholly renewed for both Principalities on the opening of the new Assemblies.

In case of the dissolution of one of the Assemblies, the renewal shall take place only in regard to those members of the Central Commission who belong to the Principality whose Assembly is re-elected.

The retiring members may be re-chosen.

ARTICLE XXX.

The functions of a member of the Central Commission shall be remunerated.

ARTICLE XXXI.

The Central Commission shall appoint its President.

In case the votes should be equally divided between two candidates, a decision shall be taken by lot.

The functions of the President shall cease with his appointment as member of the Central Commission ; they may be renewed.

In case of an equal division of votes in the deliberations, the President shall have a casting vote.

The Central Commission shall provide for its own internal regulation. Its expenses of every kind shall be borne, in moieties, by the two Principalities.

ARTICLE XXXII.

The arrangements constituting the new organization of the Principalities are placed under the protection of the Central Commission.

The Commission may point out to the Hospodars the abuses which it may deem urgent to reform, and may suggest to them the ameliorations which it may be expedient to introduce in the different branches of the administration.

ARTICLE XXXIII.

The Hospodars may send before the Central Commission all the propositions which it may appear to them expedient to convert into drafts of laws common to the two Principalities.

The Central Commission shall prepare the laws which concern both Principalities in common, and shall submit those laws, through the Hospodars, to the deliberation of the Assemblies

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ARTICLE XXXIV.

All those laws are considered of general interest which have for their object unity of legislation, the establishment, maintenance, or improvement of the union of customs, posts, and telegraphs, the fixing of the monetary standard, and the different matters of public utility common to the two Principalities.

ARTICLE XXXV.

The Central Commission, as soon as constituted, shall specially occupy itself in reducing the existing laws to a code, placing them in harmony with the Act which constitutes the new organization.

It shall revise the organic regulations, as well as the civil, criminal, and commercial codes, and the code of procedure, in such wise that, saving laws of purely local interest, there shall thenceforward exist but one and the same system of legislation, which shall rule in both Principalities, after having been voted by the respective Assemblies, and sanctioned and promulgated by each Hospodar.

ARTICLE XXXVI.

If the Assemblies introduce amendments in the drafts of laws of general interest, the amended draft shall be returned to the Central Commission, which shall consider and settle a definitive draft, which the Assemblies can then only wholly adopt or wholly reject.

The Central Commission shall be bound to adopt the amendments which shall have been concurrently voted by both Assemblies.

ARTICLE XXXVII.

The laws which specially concern each of the Principalities shall not be sanctioned by the Hospodar, until after they have been communicated by him to the Central Commission, whose duty it will be to judge whether they are compatible with the arrangements which constitute the new organization.

ARTICLE XXXVIII.

There shall be instituted a High Court of Justice and Cassation, common to both Principalities. It shall sit at Fockshani. Its constitution shall be provided for by a law. Its members shall be irremovable.

ARTICLE XXXIX.

The orders issued by the Courts, and the decisions pronounced by the Tribunals, in both Principalities, shall be brought exclusively before this Court in cassation.

ARTICLE XL.

It shall exercise a right of revision and control over the Courts of Appeal and the Tribunals.

It shall have the right of exclusive jurisdiction over its own members in penal matters.

ARTICLE XLI.

As a high Court of Justice, it shall have cognizance of proceedings which may have been instituted against the Ministers by the Hospodar or by the Assembly, and shall decide without appeal.

ARTICLE XLII.

The regular militias at present existing in the two Principalities shall receive an identic organization, in order that they may, when necessary, unite and form a single army.

The arrangements for this purpose shall be made by a common law.

There shall, moreover, be an annual inspection of the militia of the two Principalities by Inspectors-General, named every year by each Hospodar alternately. Those Inspectors shall be charged to see to the entire execution of the arrangements designed to ensure to the militia all the characters of two corps of one and the same army.

The number of regular militia, as fixed by the organic regulations, cannot be augmented by more than one-third, without previous understanding with the Suzerain Court.

ARTICLE XLIII.

The militias shall be assembled whenever the safety of the interior or of the frontiers may be threatened. The assembling may be demanded by either Hospodar, but it cannot take place unless by their common agreement, and notice thereof shall be given to the Suzerain Court.

On the proposition of the Inspectors, the Hospodars may also assemble the militias, wholly or partly, in camp for manœuvring, or for the purpose of being reviewed.

ARTICLE XLIV.

The Commander-in-chief shall be appointed alternately by each Hospodar, when there shall be occasion to assemble the militias. He must be a Moldavian or Wallachian by birth. He may be superseded by the Hospodar who appointed him. In such case the new Commander-in-chief shall be appointed by the other Hospodar.

ARTICLE XLV.

The two militias shall retain their actual colours; but those colours shall in future bear a blue pennon, conformable to the drawing annexed to the present Convention.

ARTICLE XLVI.

All Moldavians and Wallachians shall be equal in the eye of the law, and with regard to taxation, and shall be equally admissible to public employments, in both Principalities.

Their individual liberty shall be guaranteed. No one can be detained, arrested, or prosecuted, but in conformity with the law.

No one can be deprived of his property unless legally, for causes of public interest, and on payment of indemnification.

Moldavians and Wallachians of all Christian confessions shall equally enjoy political rights. The enjoyment of those rights may be extended to other religions by legislative arrangements.

All privileges, exemptions, or monopolies, which are yet enjoyed by certain classes, shall be abolished; and there shall, without delay, be undertaken a revision of the law which regulates the relations of the owners of the soil with the cultivators, with a view to improve the condition of the peasants.

The municipal institutions, as well in town as in country, shall receive all the developments which the stipulations of the present Convention will admit of.

ARTICLE XLVII.

Until such time as the revision contemplated by Article XXXV shall have been accomplished, the legislation actually in force in the Principalities is maintained in regard to those arrangements which are not at variance with the stipulations of the present Convention.

ARTICLE XLVIII.

In order to fulfil Article XXV of the Treaty of the 30th of March, 1856, a Hattisherriff, in exact accordance with the stipulations of the present Convention, shall promulgate the preceding arrangements, within the space of fifteen days, at latest, after the exchange of the ratifications.

ARTICLE XLIX.

At the time of the publication of the said Hatti-sheriff, the administration shall be made over by the present Caimacams, in each Principality, to a Commission *ad interim* (*Caimacamie*), constituted in conformity with the arrangements of the organic regulation.

Those Commissions shall, consequently, be composed of the President of the Princely Divan, the Grand Logothete, and the Minister of the Interior, who were in office under the last Hospodars before the installation of the provisional Administrations in 1856.

The said Commissions shall immediately proceed with the preparation of the electoral lists, which shall be completed and published within the period of five weeks. The elections shall take place three weeks after the publication of the lists. On the tenth day following, the Deputies shall assemble, in each Principality, in order to proceed to the election of the Hospodars within the periods hereinbefore prescribed.

ARTICLE L.

The present Convention shall be ratified, and the ratifications shall be exchanged at Paris in five weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Paris, the 19th of August, 1858.

(L.S.)	COWLEY.
(L.S.)	HUBNER.
(L.S.)	A. WALEWSKI.
(L.S.)	C. M. D'HATZFELDT.
(L.S.)	CTE. DE KISSELEFF.
(L.S.)	DE VILLAMARINA.
(L.S.)	FUAD.

 ANNEXES.

First Annex to the Convention of the 19th of August, 1858,
in conformity with Article XLV of that Convention.

(The Flag as before.)

C.
H.
A. W.
C. M. D'H.
C. P. K.
D. V.
Fⁿ.

Second Annex.

Electoral Stipulations annexed to the Convention concluded at Paris the 19th of August, 1858, between their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the Emperor of the French, the King of Prussia, the Emperor of all the Russias, the King of Sardinia, and the Emperor of the Ottomans.

ARTICLE I.

The Elective Assembly is composed, in each Principality, of members elected by districts and by towns. The Metropolitan and the Diocesan Bishops are members thereof as of full right.

ARTICLE II.

The electors are either primary or direct.

ARTICLE III.

Any person is a primary elector who can prove himself possessed of an income of one hundred ducats at least, derived from real property.

ARTICLE IV.

Any person is a direct elector :

In the districts, who can prove himself possessed of an income of one thousand ducats at least, derived from real property.

In the towns, who can prove himself possessed of a capital in real, industrial, or commercial property, of six thousand ducats, at least, belonging to him absolutely or by marriage.

ARTICLE V.

No person can be an elector unless he has completed his twenty-fifth year, and is a Moldavian or Wallachian by birth or naturalization.

ARTICLE VI.

The following persons cannot be electors :

1. Individuals who hold of a foreign jurisdiction.
2. Those who are under an interdict.
3. Bankrupts not rehabilitated.
4. Those who shall have been condemned to corporal and degrading punishments, or to degrading punishments only.

ARTICLE VII.

The electoral lists are prepared, annually, in each district, under the direction of the Administration. They shall be published and exhibited on the first Sunday of January, wherever necessary.

Claims shall be made before the Administration during the three weeks subsequent to the publication of the lists. The claimants may have recourse to the tribunal of the district, which shall decide immediately and without appeal.

ARTICLE VIII.

Any elector may claim the insertion or the removal of any individual omitted or unduly inserted in the list on which he is himself inscribed.

ARTICLE IX.

Any person is eligible, without distinction, in all the colleges, who being a Moldavian or Wallachian by birth or naturalization, shall have completed his thirtieth year, and can prove himself possessed of an income of four hundred ducats at least.

ARTICLE X.

The primary electors, in the districts, name in each respective arrondissement (under administration) three electors, who, assembling at the chief place of the district, shall elect one deputy for each district.

ARTICLE XI.

The direct electors, in the districts, shall elect two deputies for each district.

ARTICLE XII.

In the towns, the direct electors shall elect :

At Bucharest and Jassy, three deputies.

At Craïova, Ploiesti, Ibraïla, Galatz, and Ismaïl, two deputies.

In the other towns, chiefs places of districts, one deputy.

ARTICLE XIII.

The electors of each class shall assemble separately, in special colleges, in order to proceed to their respective operations.

ARTICLE XIV.

The Electoral Colleges shall be convoked by the executive power, three weeks at least before the day fixed for the election.

ARTICLE XV.

The voting for the election of deputies is secret.

ARTICLE XVI.

The election is decided by the majority of votes recorded.

If no one of the candidates shall have obtained the majority, recourse shall be had to a second voting, and the candidate who shall obtain the greatest number of votes shall be elected.

ARTICLE XVII.

The electoral operations are verified by the Assembly, which alone is the judge of their validity.

ARTICLE XVIII.

Any Deputy elected in more than one electoral district, shall declare his option to the President of the Assembly, within ten days after the declaration of the validity of the election.

If he should not declare his option within that time, the matter shall be decided by lot.

ARTICLE XIX.

In case of a vacancy by option, death, resignation, or otherwise, the Electoral College which is to supply the vacancy, shall assemble within three months.

ARTICLE XX.

No member of the Assembly can, during the session, be arrested or prosecuted in penal matters, except when taken in the fact, until after the Assembly shall have authorized the prosecution.

ARTICLE XXI.

Any person who shall have got himself inscribed upon the electoral lists, by means of fraudulent declarations, or by concealing any of the defined incapacities, or who shall have claimed and obtained inscription on more than one list, or who shall have voted, although not inscribed, or deprived of the electoral right, shall be punished by a fine of one hundred ducats at least, or one thousand ducats at most, or by an imprisonment of eight days at least, or three months at most.

ARTICLE XXII.

In default of action on the part of the Government functionaries, ten electors assembled shall have the right to institute a criminal prosecution: 1. Against any individual who, during the electoral operations, shall have withdrawn, added to, or tampered with the bulletins. 2. Against any person who shall have disturbed the electoral operations, and interfered with the freedom of election, by fraudulent manœuvres, violence, or menaces.

ARTICLE XXIII.

As the electoral stipulations composing the preceding twenty-two Articles are to be annexed to the Convention of this date, the 19th of August, in conformity with Article XVI of the said Convention, the respective Plenipotentiaries have also signed the present Act, which contains the same, and have sealed it with their arms.

Paris, the 19th of August, 1858.

(L.S.)	COWLEY.
(L.S.)	HUBNER.
(L.S.)	A. WALEWSKI.
(L.S.)	C. M. D'HATZFELDT.
(L.S.)	CTE. DE KISSELEFF.
(L.S.)	DE VILLAMARINA.
(L.S.)	FUAD.

MOLDAVIA AND WALLACHIA.

CONVENTION between Great Britain, Austria,
France, Prussia, Russia, Sardinia, and Turkey,
relative to the Organization of the Principalities
of Moldavia and Wallachia.

Signed at Paris, August 19, 1858.

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. 1859.*

LONDON :

PRINTED BY HARRISON AND SONS.

CORRESPONDENCE

WITH

HER MAJESTY'S CHARGÉ D'AFFAIRES

IN PERU,

AS TO THE

PRICE OF GUANO.

(In continuation of Papers presented in August 1858.)

Presented to both Houses of Parliament by Command of Her Majesty.
1859.

LONDON:
PRINTED BY HARRISON AND SONS.

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Correspondence with Her Majesty's Chargé d'Affaires in Peru as to the Price of Guano.

No. 1.

The Earl of Malmesbury to Mr. Jerningham.

Sir,

Foreign Office, July 28, 1858.

I INCLOSE, for your information, a copy of a note which I have addressed to the Peruvian Minister in this country,* with a view to induce him to urge upon his Government the importance of reducing the price fixed on Peruvian guano.

You will have a suitable opportunity of pressing upon the consideration of the Peruvian Government the view which Her Majesty's Government take of this question.

I am, &c.

(Signed) MALMESBURY.

No. 2.

Mr. Jerningham to the Earl of Malmesbury.—(Received October 15.)

My Lord,

Lima, September 11, 1858.

I BEG to acknowledge the receipt of your Lordship's despatch of 28th July, inclosing copy of a note which your Lordship had addressed to M. Rivero, inducing him to urge upon his Government the importance of reducing the price fixed upon Peruvian guano.

In my despatch of 11th of August, I informed your Lordship that a reduction was already ordered to be made in the sale of Peruvian guano by this Government, and since then M. Zevallos has himself told me that such was the case, but by a reduction of only 11.; however, as your Lordship instructs me in your despatch of July 28, to take the first suitable opportunity of pressing upon the consideration of the Peruvian Government the view which that of Her Majesty take on this question, I conclude that this reduction is not sufficient, and I shall attend to your Lordship's orders.

A short time ago, I conversed with M. Zevallos about placing the guano sold in the Mauritius upon a more advantageous footing, according to your Lordship's previous instructions on that matter, when his Excellency assured me that he would submit this question to the Council of Ministers; but he added, however, that Peru did not wish to have too many markets for this manure, and that they had intended to keep it for European consumption. His Excellency also said that sending it to the Mauritius gave them but a small profit, as the expenses of forwarding it thither were very heavy.

I believe the real obstacle to the reduction of the price of guano is the mistaken view which General Castilla has taken on the subject, his Excellency believing it to be best for the interests of Peru to sell a moderate quantity of this article at the highest price which it can fetch, so as not to diminish the stock too rapidly; but his Excellency, who is a very brave General, but not a very profound financier, must be considerably in error, because, as a very acute mercantile gentleman remarked to me the other day, supposing that a third more guano was sold yearly than what is necessary for Government

* See Papers presented in August 1858, No. 1.

expenditure, this surplus could be placed out at compound interest, and at the end of ten years it would produce a much greater amount than the same quantity could possibly fetch during a term of fifteen or twenty years.

This Government ought also to bear in mind that, if the price of guano be found too exorbitant in the English markets, perhaps successful efforts may be made in discovering something that might supersede it altogether, which possibility would naturally suggest the advantage of converting this manure into money as quickly as they can.

I trust by next mail to be able to give your Lordship satisfactory information on the subject.

I have, &c.
(Signed) WM. STAFFORD JERNINGHAM.

No. 3.

Mr. Jerningham to the Earl of Malmesbury.—(Received November 1.)

My Lord,

Lima, September 27, 1858.

WITH reference to your Lordship's despatch of 28th July last, in which was inclosed copy of a note addressed by your Lordship to M. Rivero, to induce him to urge upon his Government the importance of reducing the price fixed on Peruvian guano, and instructing me to take a suitable opportunity to press upon the consideration of the Peruvian Government the view which Her Majesty's Government take in this question, I beg to state that I spoke to M. Zevallos lately upon the matter, and informed him that Her Majesty's Government would learn with satisfaction that the price of guano had been lowered. His Excellency replied that he had received a despatch from M. Rivero on the subject, and said, "You know it has already been reduced 11." I, however, assured him I did not think that was sufficient, and would be glad to know if any further reduction was going to be made. His Excellency then gave me to understand that he could not tell me what they were going to do.

However, I hear from a person greatly interested in the guano trade, that some instructions, the nature of which he could not or would not inform me, were going to be sent to London on the subject of guano, by this mail.

The Ministers are now busy in preparing their Reports for the approaching meeting of the New Chambers, which will take place on the 3rd of October, 1858.

The guano question will no doubt be warmly discussed. The falling off of the sales in England the last year, compared with the preceding one, is very considerable, owing evidently to the high price, which they must be compelled to lower in spite of themselves.

I have, &c.
(Signed) WM. STAFFORD JERNINGHAM.

GUANO.

CORRESPONDENCE with Her Majesty's Chargé
d'Affaires in Peru as to the Price of Guano.

(In continuation of Papers presented in August 1858.)

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. 1859.*

LONDON:

PRINTED BY HARRISON AND SONS.

CORRESPONDENCE

WITH THE

AGENT OF THE PERUVIAN GOVERNMENT

AS TO THE

PRICE OF GUANO.

(In continuation of Papers presented in February last.)

*Presented to both Houses of Parliament by Command of Her Majesty.
April 1859.*

LONDON :
PRINTED BY HARRISON AND SONS.

Correspondence with the Agent of the Peruvian Government as to the Price of Guano.

No. 1.

M. de Osma to the Earl of Malmesbury.—(Received March 25.)

Señor Conde,

Londres, Marzo 24 de 1859.

EN la relacion publicada de la sesion que tuvo la Camara de los Comunes el 21 del corriente, he leído una interpelacion dirigida al Gobierno de Su Majestad relativa á la diferencia que se alega existe en el precio del huano entre los mercados de Inglaterra y de los Estados Unidos; y como la contestacion dada en esa ocasion por el muy Hon. S. Fitzgerald, por falta de informaciones oficiales sobre la materia, no me parece que puede disipar la impresion que haya causado en el público las erradas relaciones que ultimamente han publicado los diarios aquí con respecto al tráfico de ese articulo, espero que VS. me permitirá el honor de ocupar por un momento su atencion con algunas lineas relativas al asunto.

No existe diferencia alguna en el precio de venta del huano Peruano entre este pais y los Estados Unidos, como infundadamente se ha dicho. Existió una diferencia durante cuatro meses, de Febrero á Junio de 1858, ocasionada por un error cometido en la trasmision de las ordenes del Gobierno autorizando una baja general; pero esa diferencia cesó desde el mes de Junio, que el Gobierno dispuso se elevara el precio en los Estados Unidos de \$55 á \$60, y que se bajara aquí de 13*l.* á 12*l.*, desde cuya época no ha habido diferencia entre uno y otro mercado—muy positivamente ninguna en favor de los agricultores Americanos.

Hay en los Estados Unidos una escala de precio para las ventas de pequeñas cantidades equivalente al de 13*l.* 5*s.* que cargan los agentes del Gobierno en este pais en las ventas de iguales cantidades, pero estos precios son en ambas naciones puramente nominales, y se han adoptado con el bien calculado objeto de dar participacion en las ventas por menor á los revendedores dedicados á este comercio, y cual lo requiere el interes y expansion del trafico mismo, y las necesidades de los mercados distantes del pais.

Que el precio de 13*l.* 5*s.* es nominal lo prueba claramente el resultado de las ventas. De 45,000 toneladas vendidas en el Reyno Unido en los tres meses del presente año, ni una sola ha salido de las manos de los consignatarios del Gobierno al precio de 13*l.* 5*s.* Con escepcion de unas veinte ó treinta ventas para esportacion, todas han sido al precio de 12*l.*

En el mismo periodo, y desde Junio del año ultimo, no han podido los agentes del Gobierno en los Estados Unidos rendir cuenta de cantidad alguna de huano á menos de \$60 por tonelada, suma que al cambio actual, ó comparada con la regulacion de moneda entre los Estados Unidos y la Inglaterra, equivale á unas 12*l.* 6*s.* Seguramente que en vista de estos hechos no puede pensarse que los agricultores de este Reyno tienen motivo para quejarse de que son tratados por el Gobierno Peruano con menos favor que de los Estados Unidos. Si esa diferencia de 6*s.* no estuviera compensada para el labrador Americano con la ventaja que tiene de comprar el huano á plazo, él y nó el del Reyno Unido podria con mejor apariencia de razon creer en la existencia de precios perjudiciales por su desigualdad.

Es enteramente infundado que el Gobierno Peruano haya, como
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aseguran algunos papeles publicos, fijado en ninguna epoca, ó deseado que se fije, un precio mayor que 13*l.* para todas las ventas de su abono que pasen del numero de 30 toneladas, aun que es evidente que como propiedad nacional tiene aquel la mas amplia libertad, y tambien la obligacion, de venderlo bajo las condiciones y precios que juzgue mas ventajosos á los intereses del Perú, y con el intimo convencimiento de que mientras haya compradores del articulo, es evidente que el precio pedido y aceptado no es superior á su valor real.

Como mi objeto en esta comunicacion es disipar cualquiera duda que pueda tener el Gobierno de Su Majestad respecto á la politica del Perú con relacion á la alegada diferencia de precios en la venta del huano, alegacion contraria á las miras y deseos de mi Gobierno, que en tal alta y especial estimacion tiene la amistad y simpatias del Gobierno y pueblo Britanico, juzgo que con solo lo espuesto y sin necesidad de ocupar por mayor tiempo la atencion de VS. lo habré conseguido asi.

Tengo, &c.

(Firmado) JUAN Y. DE OSMA.

(Translation.)

My Lord,

Legation of Peru, London, March 24, 1859.

I HAVE read in the published Report of the House of Commons debate of the 21st instant, a question put to Her Majesty's Government relative to the difference which is alleged to exist in the price of guano in the markets of England and the United States; and as the reply of Mr. Seymour Fitzgerald, for want of official information on the subject, does not appear to me to be such as will dissipate the impression which may have been produced on the public mind by the erroneous statements recently published in the journals here respecting the trade in that article, I hope your Excellency will allow me the honour of occupying your attention for a moment with a few lines relative to this matter.

No difference exists between the sale price of Peruvian guano in this country and the United States, as has been incorrectly stated. There was a difference during four months, from February to June 1858, occasioned by an error committed in the transmission of the orders of Government authorising a general abatement; but that difference ceased from the month of June, when the Government directed that the price in the United States should be raised from 55 dollars to 60 dollars, and that it should be lowered here from 13*l.* to 12*l.*; since which period there has been no difference between the two markets, very positively none in favour of American farmers.

There is in the United States a scale of charge for the sale of small quantities, equivalent to the 13*l.* 5*s.* which is demanded by the Agents of Government in this country in case of sale of similar quantities; but those prices are purely nominal in both countries, and they have been adopted with the well-understood object of allowing a share in the retail sales to the smaller dealers who engage in this trade, and they are such as the interest and expansion of the trade itself demand, as also the requirements of the more remote markets of the country.

That the sum of 13*l.* 5*s.* is nominal, is clearly proved by the result of the sales. Of the 45,000 tons sold in the United Kingdom in the three months of this present year, not a single one has left the hands of the consignees of the Government at the price of 13*l.* 5*s.* With the exception of some twenty or thirty sales for exportation, all have been made at the price of 12*l.*

In the same period, and since June of last year, the agents of Government in the United States have not been able to render an account of any quantity of guano under 60 dollars per ton, a sum which at the present rate of exchange, or compared with the adjustment in the value of money between the United States and England, is equal to about 12*l.* 6*s.* Certainly, in view of such facts, it cannot be thought that the farmers of this kingdom have any reason to complain of being treated by the Peruvian Government with less favour than those of the United States.

If this difference of 6s. were not made up to the American agriculturist by the advantage he possesses of buying guano on the spot, it is he, and not the agriculturist of the United Kingdom, who might believe, with greater show of reason, that the prices are prejudicial to him in consequence of their inequality.

It is entirely incorrect that the Peruvian Government has, as some public papers have stated, fixed, at any time, or wished to fix, a higher price than 13*l.* for all sales of its manure which exceeded the number of thirty tons, although it is evident that, it being national property, that Government has the most ample liberty, and also obligation, to sell it under such conditions and prices as it believes to be most beneficial to the interests of Peru, with the perfect conviction that, as long as there are purchasers of the article, it is a proof that the price asked and paid is not above its real value.

As my object in this communication is to remove any doubt which Her Britannic Majesty's Government may have respecting the policy of Peru with reference to the alleged difference of prices in the sale of guano, an allegation which is opposed to the views and wishes of my Government, who hold the friendship and sympathies of the British Government and nation in such high and especial estimation, I consider that I have succeeded in doing so, by the above simple statement, without the necessity of occupying your Excellency's attention any longer.

I have, &c.

(Signed) JUAN Y. DE OSMA.

No. 2.

The Earl of Malmesbury to M. de Osma.

M. le Ministre,

Foreign Office, March 31, 1859.

WITH reference to the note which you addressed to me on the 24th instant, I have the honour to state to you that the question regarding the price charged for guano, to which the attention of Her Majesty's Government has been directed in consequence of the extent to which the agricultural interest of this country is therein concerned, is not merely that of a difference of price as charged in England and in the United States, but the more important point, namely, the high price charged in this country, the effect of which is necessarily to check consumption, and thus to inflict an injury on the farming interest.

I am, &c.

(Signed) MALMESBURY.

GUANO.

CORRESPONDENCE with the Agent of the Peruvian
Government as to the Price of Guano.

(In continuation of Papers presented in February
last.)

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. April 1859.*

CORRESPONDENCE

RESPECTING THE

“CHARLES ET GEORGES.”

Presented to both Houses of Parliament by Command of Her Majesty.
1859.

LONDON:
PRINTED BY HARRISON AND SONS

TRANSLATIONS omitted at pp. 57 and 64.

Inclosure in No. 48.

Extract from the "Moniteur" of October 25, 1858.

(Translation.)

Paris, October 24, 1858.

THE Minister for Foreign Affairs has this morning received a telegraphic despatch, dated the 23rd October, from the Emperor's Minister at Lisbon, announcing that the Portuguese Government has decided to restore the ship "Charles et Georges," and to release Captain Rouxel.

Inclosure 3 in No. 52.

Sketch of Agreement produced by the Marquis de Lisle to the Marquis de Loulé, October 23, 1858.

(Translation.)

1. THE two vessels belonging to His Majesty the Emperor of the French, anchored in the Tagus, under the command of Rear-Admiral Lavaud, will leave Lisbon as soon as possible.

2. Four-and-twenty hours after their departure, Captain Mathurin Rouxel will be set at liberty, and the French vessel "Charles et Georges" will be given up to the Legation of the Emperor.

3. The subsidiary questions, that is to say, especially those which relate to the indemnity claimed by the interested parties, and to the seizure of blacks voluntarily engaged at Mayotte, which is a French possession, and at the Comoro Islands, which are an independent country, will be submitted to the mediation of His Majesty the King of the Netherlands, in conformity with the wish expressed in the 23rd Protocol of the Paris Conferences.

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Correspondence respecting the "Charles et Georges."

No. 1.

The Earl of Clarendon to Mr. Howard.

Sir,

Foreign Office, February 16, 1853.

I INCLOSE, for your information, the accompanying extract of a letter from Captain Lyster, of Her Majesty's ship "Castor," to the Commander-in-chief of Her Majesty's Naval Forces on the African Station, which has been communicated to me by the Admiralty, containing information respecting his proceedings in the Mozambique Channel, and reporting what passed at a conversation which he had with the Governor-General of Mozambique on the subject of the Slave Trade on the East Coast of Africa, and relative to the proceedings of the French in procuring labourers for the Island of Réunion.

I am, &c.

(Signed) CLARENDON.

Inclosure in No. 1.

Captain Lyster to Rear-Admiral the Hon. Sir F. Grey.

(Extract.)

"Castor," Simon's Bay, December 24, 1857.

I HAVE the honour to inform you that, in obedience to your orders of October 30, I left Simon's Bay in Her Majesty's ship under my command, and proceeded to St. Augustine's Bay, where I arrived on November 23. In consequence of north-east winds and calms between latitude 36° 55' south, and longitude 36° 25' east, to latitude 31° 3' south, and longitude 42° 36' east, this part of the passage was longer than anticipated.

I found here two American whalers and three French vessels: one had 110 free labourers on board, another getting ready for the same purpose, the third taking in a cargo of beans. From all the information I could obtain, it appears the French have taken from this place to Bourbon upwards of 1,500 this year—within the last month 500 have left. Those on board the brig I visited, evidently went of their own accord, but the Chief of Tent Rock Village is paid for them at the rate of three muskets, of three kegs of powder, or three pieces of cloth for each.

No regular slaver had been at St. Augustine for several years.

Having completed water and got some bullocks, I put to sea again on November 25, and arrived at Mozambique on December 3. At my interview with his Excellency the Governor-General, I explained to him your great anxiety to co-operate with him in any measure for the suppression of the Slave Trade, which the existing Treaties between Great Britain and foreign Powers

would admit, but that you had no power to interfere with French vessels procuring labourers for Bourbon. He was very much gratified by this communication, and said that he was aware that it was his duty to stop the exportation of labourers or emigrants from the Portuguese settlements, but that he had at present in the harbour a French barque, taken in Conducia Bay with 130 blacks on board, waiting trial.

No. 2.

Mr. Howard to the Earl of Clarendon.

(Extract.)

Lisbon, February 17, 1858.

THE Viscount de Sá informed me that, according to accounts which he had received from Mozambique, a French vessel had recently arrived on that coast for the purpose of taking in a cargo of negroes for the Island of Réunion; that the Governor-General of Mozambique having sent a detachment of troops to prevent the embarkation being effected, the vessel had moved off, but subsequently reappeared at another point of the coast, and succeeded in shipping some twenty negroes. This time, however, she was secured by the force sent by the Governor-General, and taken to Mozambique, where the case was placed in the hands of the judicial authorities. Some of the slaves shipped by the French vessel belonged, it appears, to persons at Mozambique.

No. 3.

Mr. Howard to the Earl of Clarendon.

(Extract.)

Lisbon, February 24, 1858.

I HAVE the honour to acknowledge the receipt, on the 22nd instant, of your Lordship's despatch of the 16th instant, transmitting to me the copy of a letter of the 24th of December last, from Captain Lyster, of Her Majesty's ship "Castor," to the Commander-in-chief of Her Majesty's naval forces on the African station, reporting his communications with the Governor-General of Mozambique, respecting the Slave Trade on the East Coast of Africa, and relative to the proceedings of the French in procuring labourers for the Island of Réunion.

I beg to inclose a translation of an account which has appeared in the "Jornal do Commercio" of this morning, of the capture of the vessel called the "Charles et Georges," of St. Malo.

The Viscount de Sá, in a further conversation which I had with him on this subject, alluded to the allegation of there being on board the "Charles et Georges," a delegate of the administration of the Island of Réunion. His Excellency informed me that he had privately communicated to the French Minister at this Court an extract from the Report he had received concerning the transaction, and of which the substance is given in the inclosed article.

Inclosure in No. 3.

Extract from the "Jornal do Commercio" of Lisbon, 24th February, 1858.

(Translation.)

FROM advices received at the Cape of Good Hope from Mozambique, and from thence forwarded to Lisbon, under date of 26th December, 1857, we learn :—

1. That a French barque, belonging to St. Malo, called the "Charles et Georges," bound from Bourbon, went to the port of Conducia, about two or three leagues from Mozambique, and was anchored there some days.

2. That suspicion having been excited at Mozambique, a small vessel was sent from thence on the 21st November to search the barque, under the charge of a navy officer, and with a detachment of twenty men and an officer, in order to prevent the embarkation of negroes at that place, if such should be the intention of those on board the barque.

3. That on the arrival of this vessel at Conducia, the barque got under weigh, and cruized off the coast.

4. That this proceeding having caused her to be suspected, the Mozambique vessel sailed along the coast, and on her return to Conducia, they found the French barque with 110 negroes on board, the most part boys of sixteen, and old men.

5. That as this took place where no Portuguese authorities were established, the French barque was captured, and conducted to Mozambique on the 27th November, and there subjected to an inquiry by a Committee, who at last found on board the above mentioned number of 110 negroes, fifty-nine of whom were embarked at Quitangonha; it was also found that they were not volunteers, but had been sold to the captain, and some of them even stolen from their masters, a few of whom belonged to the city of Mozambique.

6. That in consequence of the Report of the said Committee, the matter was referred to the Crown Lawyer and to the Government Council, and the case was to be ultimately given into the hands of the judicial courts, to be dealt with according to the laws of the country.

Besides what precedes, it is further stated, that there was on board the said barque, a delegate of the administration of the Island of Réunion, who, on being requested to produce the contracts that he might have drawn up, could not show a single one; nor could he do so, for, instead of contracts with the negroes, he had made deeds of purchase from their masters, or from those who represented themselves to be their masters, for slaves can be stolen as well as anything else.

No. 4.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, March 6, 1858.

WITH reference to my despatch of the 24th ultimo, relative to the capture, in November last, by the Portuguese authorities, at Mozambique, of a French vessel called the "Charles et Georges," with slaves on board, destined for the Island of Réunion, I beg to state that the Marquis de Loulé informed me, on the 5th instant, that Count Walewski had lately spoken to Baron Paiva, the Portuguese Minister at Paris, of this capture as being a very grave affair, and had stated that the Marquis de Lisle, the French Minister at this Court, had reported to him that he had had a conference with the Marquis de Loulé on the subject of it, but that the explanations which he had received from his Excellency were not of a satisfactory nature.

Baron Paiva, it appears, replied to these observations of Count Walewski, by referring to the fact, not only of the Portuguese Government having prohibited the exportation of negroes, whether as free labourers or otherwise, from their African possessions, but likewise of the French Government having themselves prohibited that exportation from the Portuguese province of Mozambique. Hereupon Count Walewski allowed the subject to drop.

The Marquis de Loulé remarked to me that the version, stated by Count Walewski to Baron Paiva, of what had passed between the Marquis de Lisle and himself was not quite accurate, inasmuch as the French Minister had only touched, in conversation with him, upon the subject of the capture in question, without making any demand for explanations, but that he (the Marquis de Loulé) had, in consequence of this conversation, sent the Marquis de Lisle a copy of

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the letter which the Portuguese Government had received from the Cape of Good Hope relative to the capture, and the substance of which is given in the article on the "Journal of Commerce," of which a translation is inclosed in my above-mentioned despatch of the 24th ultimo

I need not point out to your Lordship the difficult position in which the Portuguese Government are placed by the proceedings of the French Government in regard to the exportation of slaves, under the name of free labourers from Africa, proceedings that have given so great an impulse to the Slave Trade in and around their possessions, both on the Eastern and Western Coast, and thwart their strenuous efforts, under the able direction of the present Minister of Marine and Colonies, the Viscount de Sá da Bandeira, to suppress that trade, and promote legitimate commerce.

For my own part, I cannot but consider this French scheme the most serious obstacle that has presented itself to the successful issue of our own efforts for the suppression of the African Slave Trade, and as one calculated, if persevered in, to undo the great progress which has been made towards that most desirable object, for which Great Britain has been so long and so unremittingly contending.

No. 5.

The Earl of Malmesbury to Earl Cowley.

(Extract.)

Foreign Office, March 18, 1858.

I TRANSMIT, for your Excellency's information, the accompanying extract of a despatch which I have received from Mr. Howard, Her Majesty's Minister at Lisbon,* reporting what has passed between the Portuguese and French Governments relative to the capture by the Portuguese authorities at Mozambique of the French vessel the "Charles et Georges," with negroes on board, destined for the Island of Réunion, and containing some observations on the subject of the evil effects of the French scheme for exporting slaves from Africa under the denomination of free labourers.

No. 6.

Mr. Howard to the Earl of Malmesbury.

My Lord,

Lisbon, May 8, 1858.

WITH reference to my despatch of the 6th of March last, relative to the capture, in November 1857, by the Portuguese authorities at Mozambique, of a French vessel, the "Charles et Georges," with slaves on board, destined for the Island of Réunion, I have the honour to inform your Lordship that the Marquis de Lisle, the French Minister at this Court, having lately communicated to the Marquis de Loulé a confidential despatch from Count Walewski, expressing the opinion that the capture in question was not justified by the circumstances of the case, the Marquis de Loulé acquainted the Marquis de Lisle by note that the Governor-General of Mozambique had submitted the case to a Commission for examination, and that this Commission, having reported that there were grounds for legal proceedings against the vessel, the matter had been placed in the hands of the judicial authorities.

The Viscount de Sá repeated to me the other day that slaves were found on board the "Charles et Georges," who had belonged to persons at Mozambique, and who had been kidnapped, and sold to the French.

I have, &c.

(Signed) HENRY. F. HOWARD.

No. 7.

The Earl of Malmesbury to Earl Cowley.

My Lord,

Foreign Office, May 17, 1858.

WITH reference to my despatch of the 18th March last, I inclose, for your Excellency's information, a copy of a despatch from Mr. Howard, Her Majesty's Minister at Lisbon,* containing further information respecting what has passed between the French and Portuguese Governments on the subject of the capture of the French vessel "Charles et Georges" by the Portuguese authorities at Mozambique.

I am, &c.
(Signed) MALMESBURY.

No. 8.

Mr. Howard to the Earl of Malmesbury.

My Lord,

Lisbon, August 16, 1858.

WITH reference to my despatch of the 8th of May last, and to my previous correspondence on the subject of the capture, in November 1857, by the Portuguese authorities at Mozambique of a French vessel, the "Charles et Georges," with slaves on board destined for the Island of Réunion, I have the honour to report that this vessel, having been condemned as a slaver by the tribunal at Mozambique, arrived in this port on the 13th instant, under the Portuguese flag, and with a Portuguese prize-crew on board, and will remain here pending the appeal which has been made, as the Marquis de Loulé informs me, by her French owners to the Superior Court at Lisbon from the decision of the above-mentioned tribunal.

I have, &c.
(Signed) HENRY F. HOWARD.

No. 9.

The Earl of Malmesbury to Earl Cowley,

My Lord,

Foreign Office, August 23, 1858.

WITH reference to my despatch of the 17th of May last, I inclose for your Excellency's information the accompanying copy of a despatch which I have received from Mr. Howard, Her Majesty's Minister at Lisbon,† reporting the arrival in the Tagus of the French ship "Charles et Georges," in charge of a Portuguese prize-crew, to remain there pending an appeal which has been made by the French owners of the vessel against the sentence of the tribunal at Mozambique, condemning her as a slaver.

I am, &c.
(Signed) MALMESBURY.

* No. 6.

† No. 8.

No. 10.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, August 28, 1858.

THE French Minister at this Court, the Marquis de Lisle, treats as a very serious affair the condemnation as a slaver, by the tribunal at Mozambique, of the French vessel "Charles et Georges," which arrived here on the 13th instant, under Portuguese colours, as reported in my despatch of the 16th instant, and in the note which he has addressed to the Marquis de Loulé, protesting against the capture and condemnation of the vessel, has demanded, as M. de Loulé informed me yesterday, the liberation of the vessel, besides alluding in conversation to the compensation which would be required.

Your Lordship will learn the Portuguese version of the case from the translation of an article in the "*Jornal do Commercio*" of this capital of the 24th of February last, which was inclosed in my despatch of that date to the Earl of Clarendon.

The purport of this version is briefly the following:—Suspicion having been caused at Mozambique by the circumstance of the French barque "Charles et Georges," of St. Malo, proceeding from the Island of Réunion, having anchored for some days in the port of Conducia, distant about two or three leagues from Mozambique, a small vessel was sent on the 21st of November, 1857, from the latter place, with an officer of the navy on board, together with a detachment of twenty soldiers and an officer, for the purpose of preventing the shipment of negroes at that point, if such should be the intention of the barque.

On the appearance of the Portuguese Government vessel, the barque sailed off, but the former having, after a cruise along the coast, returned to Conducia, found the barque there with 110 slaves on board, and brought her to Mozambique on the 27th of November. The inquiry, instituted by a Commission named for the purpose of examining the matter, having brought to light that about half of the 110 slaves had been embarked from Portuguese territory, that they were not voluntary emigrants, but had been bought by the captain, and that some of them had been stolen from their masters, some of whom resided in the city of Mozambique, the barque was, after the Attorney-General and the Government Counsel had been heard, handed over to the judicial power in order to be dealt with according to law.

The result of the trial was the condemnation of the "Charles et Georges" as a slaver, on the grounds of the above-mentioned slaves being found on board under the circumstances already related, and of the non-production of the proper papers proving the legitimate nature of the traffic in which she was engaged.

Captain Rouxel, the master of the barque, having appealed against this sentence to the Court of Relação at Lisbon, the vessel was sent here, as reported, pending the decision of the appeal.

The papers concerning the case have been already transmitted to the Court of Relação; but as September is the period of the vacation of the Judges, some time must elapse before their decision takes place.

The delegate and the crew of the vessel were permitted to return to the Island of Réunion; but the captain, who, as the French Consul informs me, has been condemned to two years' imprisonment in irons, came here on board his vessel in order to prosecute his claim, and is now at large.

The slaves found on board, as well those who were not engaged on Portuguese territory as those that were, have been detained at Mozambique, and placed under the guardianship of the Board of Protection of Slaves and Liberated Negroes. According to what the Viscount de Sá stated to me, they are free, though some of them were claimed by inhabitants of Mozambique.

It is necessary that I should here state that the late Governor of Mozambique, Senhor Menezes, not having given due effect to the prohi-

bition of the exportation of negroes as free labourers, contained in the Portarias of the Minister of Marine and Colonies of February 27, 1855, and July 30, 1856, was recalled on that account, as I reported at the time, and Colonel Tavarez d'Almeida was sent out as Governor by the Viscount de Sá for the express purpose of enforcing that prohibition, and of otherwise suppressing the Slave Trade. Colonel Almeida arrived, it appears, at Mozambique about fifteen days, or three weeks, before the affair of the "Charles et Georges" took place, and it was under his directions that the measures for her apprehension were taken.

The Marquis de Lisle, on his part, informs me that the "Charles et Georges" left the Island of Réunion before the period of the receipt there of the intelligence of the prohibition by the Portuguese Government of the exportation of negroes from their Possessions; that a part, 57, I believe, of the 110 negroes who were found on board her had been engaged at the French Settlements in the Island of Madagascar and Mayotte, whilst the remainder had been purchased of an Arab Sheik, a Portuguese authority, who produced his license from the Governor Menezes to furnish the French vessels with emigrants; that the receipts of this Sheik for the price of the engagement of the negroes, as well as for the due of six dollars per head exacted for the Governor, were in existence, and were now produced: moreover, that the negroes so engaged on the Portuguese territory were not slaves, but, according to the original contracts made with the Sheik, which formed a part of the evidence on the French side, were to be free to act as they pleased, and to return to their own country at the expiration of the five years for which they were engaged.

On all these grounds, which are likewise those of the appeal to the superior tribunal at Lisbon, the Marquis de Lisle maintains that the capture and condemnation of the barque were illegal; that the Portuguese Government are bound, not only to restore the vessel, but likewise to make compensation for the value of all the negroes apprehended and detained by the Portuguese authorities, as well as for other losses.

The Marquis de Lisle admits the right of the Portuguese Government to prohibit the exportation of negroes from their possessions, and states that, since the intelligence of that prohibition being enforced reached the Island of Réunion, no French vessel had been allowed to proceed from thence to collect free labourers in those possessions; but he contends that, as the new Governor had not, at the time of the arrival of the "Charles et Georges," revoked the license granted to their Arab authorities to furnish French vessels with negroes, the Portuguese Government are bound by the acts of those authorities.

The Marquis de Loulé also told me yesterday that he had not replied as yet in writing to the Marquis de Lisle's note, but that he had informed him that, pending the decision of the Court of Relação, the Portuguese Government could take no further step except to accelerate the legal proceedings as much as was in their power, which they would do.

The Marquis de Loulé admitted to me that he thought that, although the transaction was near akin to the Slave Trade, it could not be punished as such; and I inferred from the Viscount de Sá's language, that he doubted the legality of the condemnation, which it is thought will not be confirmed by the Superior Court.

I have the honour of inclosing a translation of a circular despatch addressed, by order of the new Governor-General of Mozambique, Colonel Almeida, on the 20th of November, 1857, to the Governors of the various Portuguese districts on the East Coast of Africa, and published in the "Diario do Governo" of the 20th instant, instructing them how they are to proceed in the event of French vessels coming to seek negroes.

Your Lordship will observe that the mode of proceeding thus prescribed is, that the Governors, after having examined the ship's papers and made known to the captain the prohibition of the Portuguese Government of the exportation of colonists, are to require from him a declaration, according to the form annexed to the circular, that he will not embark or engage such free labourers, it being understood that if he did so, he submitted to the legal consequences that might result. A similar commu-

nication is to be made to the official French delegate on board the vessel, and his acknowledgment of it required.

This circular was published in the "Official Bulletin" of Mozambique of December 19, 1857.

It appears that two French vessels which had come to Ibo for the purpose of engaging negroes were released.

Inclosure in No. 10.

Circular of the Governor-General of the Province of Mozambique for preventing the exportation of Colonists from the Ports of that Province.

(Translation.)

Illustrious Sir,

Mozambique, November 20, 1857.

WHEREAS some French vessels having come to the ports of this province from the Island of Réunion, from whence they sail with their papers in due order, and having on board a Delegate of the Administration, with written instructions upon the method of contracting for, embarking, and conveying colonists, which the said vessels are authorised by their Government to engage and convey to that island, in accordance with the Law of 1852, of the French Empire, upon this subject; and whereas it may happen that such vessels, under the above-mentioned legal circumstances, should call at a port within your district for the purpose of proceeding to such engagement and shipment of colonists, a speculation which is expressly prohibited by the Portarias of the Marine and Colonial Department, dated 27th February, 1855, and 30th July, 1856, and inasmuch as such vessels, in order to effect the conveyance of the colonists thus engaged, have on board articles which are mentioned in the Decree of 10th December, 1836, as indicative of the Slave Trade; and as by an unreflected application of the provisions of that Decree to such vessels under the above circumstances, and by their consequent detention, serious embarrassments may arise, for the said vessels can only make their shipments in accordance with the written instructions held by the Delegates of the Administration, and by the express consent of the Portuguese authorities, and not in secret or by contraband; for these reasons His Excellency the Governor-General of the Province, desiring that the commands of His Majesty the King shall be duly observed in not permitting such engagements and shipments to take place in any port on the Portuguese coast, and at the same time wishing to prevent the evil results which may arise from an imperfect interpretation of the provisions of the Decree of 10th December, with regard to vessels in the circumstances above-mentioned, and in the examination of which you will be scrupulously zealous, has charged me to state to you, that in the event of the arrival there of any French vessel which may include all the above-mentioned conditions without any exception, you will proceed in the following manner :—

After a scrupulous examination of all the ship's papers, in which are comprehended the title-deed of ownership, the charter of French nationality, the muster-roll of the crew, the manifests and the instructions of the Delegate, given by the Administration of the Island of Réunion, and having made known to the captain the orders of His Majesty's Government, prohibiting the shipment or engagement of colonists, you will require from him a declaration according to the annexed form, and to the Delegate you will officially communicate the positive prohibition which you are bound to enforce against the carrying out of the intended engagements, and require a written acknowledgment of the said communication.

The declaration of the captain, and the acknowledgment of the Delegate, will be transmitted to this General Department to be made use of hereafter if required, and copies are to be kept in your archives.

It is to be expected that such vessels, duly authorised, will not continue to frequent the ports of the Province, owing, not only to the correspondence on this subject, which has most likely passed between the Government of the metropolis and that of His Majesty the Emperor of the French, but also to that which has passed lately between this Colonial Government and the Government of the Island of Réunion, and the Portuguese Consul residing there. It is, therefore, necessary to awaken your attention in order that you may not be misled as to the authenticity of the documents presented to you, and you will, therefore, take every means of testing them.

Finally, it is his Excellency's intention that you should act in these questions with the greatest prudence and circumspection, in order that the innocent may not be oppressed, nor the guilty escape with impunity.

God preserve, &c.

(Signed)

JOSE N. FERREIRA DE PASSOS,
General Secretary.

This circular was sent to all Governors of Districts.

[Here follows the declaration to be made by the captains of vessels.
See text in original.]

No. 11.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, September 6, 1858.

ON my inquiring of the Marquis de Loulé, on the 3rd instant, whether anything new had taken place in the case of the French vessel "Charles et Georges," which formed the subject of my despatch of the 28th ultimo to your Lordship, his Excellency replied that he had found reason to alter the opinion which he had expressed to me during our former conversation, and which he said had likewise been the view of the Viscount de Sá; that the traffic in which she was engaged at Mozambique was not the Slave Trade, because there were, it appeared, grounds for believing that the papers which had now been brought forward by the French captain to prove the legitimacy of her transactions, but which were not produced at the trial at Mozambique, viz., the contracts with the Arab Chief acting, as had been represented, under the authority of the late Governor-General, and the receipts of the Chief, were subsequent fabrications.

The Marquis told me that the French Minister, the Marquis de Lisle, had been insisting with the Viscount de Sá that the captain of the vessel, who is now at large, during the vacation of the Court of Relação of Lisbon, which is to try the appeal, should not be subjected to imprisonment when the Court meets, but that the Viscount de Sá had replied that there were two methods of proceeding; that is to say, by force or by law. If the former was to be preferred, it would be for the French Government to take the vessel by that means; but if the latter, the laws of the country must be followed, and the captain would have to go to prison.

I observed to the Marquis de Loulé that I thought it would be more prudent not to push matters to extremities, and suggested whether the captain might not remain at liberty on his giving bail. His Excellency replied that this was a question for the Court to decide; but I further suggested that the Attorney-General might move the Court to admit the captain to bail, a suggestion which his Excellency received favourably.

No. 12.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, September 7, 1858

THE Viscount de Sá da Bandeira having communicated to me, confidentially, amongst other papers on the same subject, the report of the Commission appointed by the Governor-General of Mozambique, to inquire into the case of the French barque "Charles et Georges," which was apprehended in the Bay of Conducia in November last, and has since been condemned as being engaged in the Slave Trade, I have the honour of inclosing herewith a translation of it to your Lordship.

Your Lordship will perceive from this paper that the captain of the "Charles et Georges," in answer to the questions put to him by the Commission, stated that he had no papers in his possession to prove the engagement of the negroes on board, and that he had not fallen in with any Portuguese authorities at Quitangonha, but had only met the persons who brought the negroes, and of whom he bought them, whereas papers are now brought forward, purporting to be the contracts entered into by the captain with the Arab Chief, who is alleged to have produced a license from the late Governor-General of Mozambique to furnish negroes to French vessels, and whom the French Minister has designated, in his conversation with me, as a Portuguese authority.

Your Lordship will also see that all the negroes found on board the vessel declared that they had been embarked and sold to the French captain against their will.

The conclusion of the Commission was that the "Charles et Georges" had not only incurred the penalties provided for by the fiscal laws of the port and custom-house, but likewise those enacted by the Royal Decree of the 10th of December, 1836, for the suppression of the Slave Trade.

I should observe that it likewise appears from the report of the Portuguese naval officer who apprehended the "Charles et Georges" (which I do not think of sufficient importance to send your Lordship) that although the captain produced an authorization from his own Government to engage colonists, he stated that he had none from any Portuguese authority, and he likewise denied having any passports for the slaves.

Inclosure 1 in No. 12.

(Translation.)

Report of the Commission appointed by the Governor-General of Mozambique to investigate the circumstances under which the French barque "Charles et Georges" was captured on the coast of Quitangonha by the Portuguese man-of-war "Zambezi."

AFTER recapitulating the duties imposed upon them, as stated in the Minute, and thanking the Governor-General for the honour conferred upon them in being chosen for so important a commission, the report goes on to state that the Commission, directed by the first-named member, the Director of the Custom-house, as President, and being accompanied by the First Clerk of the Custom-house, and by the Government Interpreter, went on board the French barque in question, and having asked the captain whence he came, and where he was bound to, he replied that he had sailed from Bourbon, bound for Mayotta, and was on his way to the Comoro Islands; that the mate having fallen sick, he had put into Quitangonha, and having there found labourers he had bought them. The

Commission, through the medium of their President, having asked the captain whether he had, at Quitangonha, met with any Portuguese authority, he replied in the negative, and said that he only met with some individuals who brought the labourers, and from whom he bought them; that he had still on hand 4,000 dollars to engage labourers with. The Commission did not fail to examine the vessel and the negroes on board of her; and the captain, having stated that he had provisions for 300 to 350 persons for three or four months, and 240 barrels for water, of which only about twenty were full, the Commission proceeded with their investigation, and found two large coppers, a machine for distilling water, 300 blankets, 300 shirts and trousers, some of which were already distributed among the negroes, and 400 hides; and they found also that the vessel had an open hatchway with a grating. One hundred and ten negroes were found on board: nineteen women and thirty-one men shipped at the Island of Comoro, and forty-seven men and twelve women in the Bay of Quitangonha; none of these were found imprisoned, nor any indications of having been so lately, and the Commission are of opinion that this was owing to the greater part being old men and children, as all who were asked replied that they were there against their will, having been sold, as your Excellency will more clearly perceive by the few depositions contained in the annexed Minute; this, the Commission can affirm, would have been the deposition of each and every one, if the expedient had not been taken, in order to save time, of putting questions to them collectively, as stated in the same Minute. Having thus complied with the greater part of the requirements contained in your Excellency's portaria of the 30th of last month, it only remains for the Commission to conclude by pointing out and declare the liabilities incurred by that vessel. From the fact of the said barque being anchored in a port on the coast, and close to the bar, without being in any way forced to this by stress of weather or other motives, sufficient cause of suspicion arose of an intention to infringe the fiscal laws of the port and custom-house; and when it should be clearly proved that such vessel had communication with the shore for the shipping or unshipping of articles either permitted or prohibited, it is plain that she had incurred the penalties of the fiscal laws which apply to evasion and contraband. The French are certainly not ignorant of the ports in the African possessions of Portugal which are open to the free pratique of vessels; they cannot, moreover, be ignorant that the exportation of negroes from the African territories of Portugal is not only considered contraband by the Treaty of 1815, but is even, by subsequent laws, reputed as piracy and a public crime in the whole of the Portuguese territory.

Under these circumstances, then, the Commission, seeing that the captain did not even present passports or documents to prove the engagements effected for his vessel, considering the substance of the depositions of the negroes, as contained in the annexed Minute; considering that the vessel was found, on the occasion of her capture, anchored in a prohibited port, with 110 negroes on board, and principally (59 of them) shipped at Quitangonha; considering that it cannot be unknown at Bourbon that that the Portuguese Government does not allow in any way such engagements of negro labourers, as is seen by the Portaria of the Marine and Colonial Department of the 27th of February, 1856, and other subsequent ones addressed to this Colonial Government; considering, finally, all the other circumstances set forth in the body of this short report, and in the annexed Minute, the Commission are of opinion that the French barque "Charles et Georges" has not only incurred the penalties of the fiscal laws of the port and of the custom-house, in having neglected the legal bar and entrance, and in seeking an anchorage in a prohibited port when not forced to it by stress of weather, but also in having there bought and shipped negroes; and, moreover, from the circumstances set forth, the said vessel and her crew are liable to the penalties enacted in the Decree of the 10th of December, 1836. The Commission confess their inability to thank your Excellency duly for the confidence reposed in them, and further trust to your Excellency's kindness to excuse the imperfection of their labours,

and assure your Excellency that they did not neglect any means of complying with their duty.

God preserve, &c.

Mozambique, December 1, 1857.

(Signed)

JOAO VICENTE RODRIGUES DE CARDINAS.

JOAO EUZEBIO D'OLIVEIRA.

FREDRICO CARLOS DA SILVEIRA ESTRELLA.

MIGUEL AUGUSTO DA SILVA CORDEIRO.

To his Excellency the Governor-General of the Province.

Inclosure 2 in No. 12.

Minute.

(Translation.)

IN the year of our Lord 1857, on the 1st day of December of the said year, and on board of the French barque "Charles et Georges," anchored in this port, and captured on the coast of Quitangonha by the brig-schooner of war "Zambesi," where I, the first clerk, came in virtue of the instructions contained in the Portaria of the Governor-General, of the 30th of last month; and also appeared João Vicente Rodrigues de Cardinas, Director of the Custom-house; João Euzebio d'Oliveira, First Lieutenant, commander of the "Zambesi;" Frederico Carlos da Silveira Estrella, Head Clerk of the General Office; and Miguel Augusto da Silva Cordeiro, Captain of the Port, all members of the Commission appointed by his Excellency the Governor-General in the said Portaria for the purpose of pointing out and declaring the fiscal liabilities incurred by the said barque; the liabilities she may have incurred owing to the fact of having been found with negroes on board; the manner in which the said negroes were found on board, whether free or under restraint, and the nature of such restraint; if not under restraint, whether there were any indications of their having been so, and the nature of such indications; whether there were on board any negroes recognized as belonging to persons of this city, or to the inhabitants of the continents, the number and names of such negroes, and the names of their owners; the said Commission having also to learn from these negroes, by means of an interpreter, the manner in which they came to be on board, whether voluntarily or by sale, or by any other forcible manner; and the Commission proceeding then to examine the vessel found two large coppers, a machine for distilling water, an open hatchway with a grating, 300 blankets, 300 shirts and trousers, some of which were already distributed to the negroes, 400 hides, and about 4,000 dollars, which the captain stated before the Commission to be intended for the purchase of labourers; and forthwith the Director of the Custom-house, acting as President, having asked the captain of the barque, George Rouxel, what amount of provisions he had on board, he stated that he had sufficient for 300 to 350 persons for three to four months, and 250 barrels for water, about twenty of which were full. The captain being asked whether he had any papers and documents to authenticate the engagement of the negroes on board his vessel, replied that he had none. The Commission proceeding to ascertain whether any negroes were imprisoned, found none, nor any indications of their having lately been so. And immediately afterwards the Government interpreter, Gulamo Ussem Valgi Mottà, being on board, and having taken the oath in accordance with the rites of his creed, to speak the truth in the translation of the questions put by the Commission to the negroes, and in their answers, the President caused the negroes to be drawn up on deck, and of those shipped at Quitangonha, the greater part, either through fear or ignorance, being unable to answer, the following only were questioned:—

José, the slave of Domingos José Ferreira, residing in this city, stated that his master had sold him to a Moor, who took him to the Comoro Islands and there sold him to this Frenchman.

Antonio, the slave of Patricio, of Quillimane, said that he had been kidnapped by a Moor from Angoxa, named Ibaimo, and there sold against

his will to a boat ("pangaio") of Mujojos, and taken to Comoro, where he was sold to this French vessel.

Emilio Muguema, the slave of Militão Francisco de Menezes, stated that he was kidnapped by the Macuas on the continent, and sold at Quitangonha to the Moor Ali, who sold him to this Frenchman.

Movaria, the slave of the Moor Saluhu, of Quitangonha, said that her master sold her to the Frenchman.

Victorino and Carlos, the slaves of Jacinto de Jesus e Silva, stated that having gone on the continent to cut firewood, they were kidnapped by the Macuas, and sold at Quitangonha to persons unknown to them, who sold them to the Frenchman.

Eria, the slave of Abudulrame, Captain-General of Quitangonha, stated that her master caused her to be sold.

Challe, the slave of Intiquila, of Quitangonha, stated that he was sold to this Frenchman ten days since.

Rehema Binte Muça, Nacibo, and Ali Umar, stated that they were kidnapped at Quiloa by the Moors Mufaume Dimane, Moamad, and Mohamad Fadili, and having been shipped to Comoro were there sold to this vessel.

And as the number of negroes yet unquestioned was very great, the Director of the Custom-house, President of the Commission, desired the interpreter to ask the negroes whether any of their number had come on board of his own free will; to this they all replied that they were there because they had been sold, and against their will they had been forced to embark.

There being nothing further to inquire into, and the President having asked the other members of the Commission if they were satisfied, or if they wished to proceed to any further inquiries, they replied that they were satisfied, and had nothing further to investigate; upon which he, the President instructed me to close this Minute, which is to be signed by all the members of the Commission, by the interpreter, and by me, José da Silva Carrão, first clerk of the Custom-house, who wrote the same.

(Signed)

JOAO VICENTE RODRIGUES DE CARDINAS.

JOAO EUZEBIO D'OLIVEIRA.

FREDERICO CARLOS DA SILVEIRA ESTRELLA.

MIGUEL AUGUSTO DA SILVA CORDEIRO.

GULAMO USSEM VALGI MOTTA.

No. 13.

Earl Cowley to the Earl of Malmesbury.

My Lord,

Paris, September 20, 1858.

IN the course of a conversation which I had this afternoon with M. Benedetti, he complained of the Portuguese Government in a manner which makes me apprehend the possibility of a serious misunderstanding between France and Portugal if matters remain as represented to me by that gentleman.

There are two causes of complaint, according to M. Benedetti's statement: the first is the seizure, four miles out at sea, and the subsequent condemnation by an illegal tribunal, of a French ship; the second, the ill-treatment to which certain French Sisters of Charity have been exposed at Lisbon.

Upon the first of these points M. Benedetti's statement was very vague, and I can only presume that he refers to the seizure and condemnation of the "Charles et Georges," to which Mr. Howard alludes in his despatch of the 16th ultimo.

In the matter of the Sisters of Charity, M. Benedetti said that the treatment of them was atrocious, and that the Portuguese Government did nothing to protect them. They were daily insulted in the open streets, yet not one of the ruffians who insulted them had been arrested, much less punished. It must be recollected, further, that these excellent women had been specially invited to go to Lisbon, and had, therefore, a double claim to protection.

I did not enter into the details of either case with M. Benedetti; but your Lordship may think it expedient to let the Portuguese Government know that considerable irritation prevails at Paris in regard to both of them.

I have, &c.
(Signed) COWLEY.

No. 14.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, September 18, 1858.

THE affair of the French vessel "Charles et Georges," condemned at Mozambique as a slaver, treated of in my despatches of the 6th and 7th instants, has assumed a very serious aspect.

The French Minister at this Court, the Marquis de Lisle, acting upon instructions recently received from his Government, presented, on the 14th instant, a note to the Marquis de Loulé containing a peremptory demand for the immediate release of the vessel and of the master, Captain Rouxel.

In this note, which the Marquis de Loulé showed me yesterday, the French Minister dwells upon the serious influence which this affair may have upon the amicable relations of the two countries; refers to the previous notes which he had addressed to his Excellency on the subject, stating the circumstances of the case and urging the liberation of the vessel, as well as to his communications with the Viscount de Sá da Bandeira; and lays down that, as there was a Delegate of the French Government on board the vessel, the French Government cannot admit the possibility of her having been engaged in the Slave Trade, for which crime she had been condemned.

The French Minister then proceeds to state that his Government reserve to themselves to determine the degree of responsibility involved in this affair, and to bring forward hereafter the demands for compensation, but that they now require the immediate release of the vessel and of the captain. The note concludes with an urgent request for a speedy reply. It was sent in by the Marquis de Lisle, with an intimation that he expected an answer as to day, in order to his dispatching it by to-morrow morning's mail, and that, if he did not receive an answer by that time, he should consider the Marquis de Loulé's silence as a refusal to accede to the demand of the French Government.

I saw the Marquis de Loulé yesterday, just before the Cabinet Council met, at which the Attorney-General was to be heard, and the answer to be returned to the French Minister was to be decided upon.

His Excellency dwelt upon the embarrassing position in which the Portuguese Government were placed. He observed that it appeared, from the papers in possession of the Government, that the case was not one of an engagement of free labourers, but of the positive purchase of slaves, and that the Government were not authorized by the laws of the country to withdraw the vessel from the action of the judicial power, under whose control she now is.

Since I wrote the above, this evening, the Marquis de Loulé, in fulfilment of a promise he made me yesterday, has called upon me, and shown the answer of this day's date, which he sends this night to the French Minister, expressing at the same time his regret that the lateness of the hour prevented him from giving me a copy of it.

In this note the Portuguese Minister for Foreign Affairs observes, that it appears to him that when the French Government made their demand for the release of the vessel, they were not thoroughly acquainted with all the circumstances of the case, and he therefore begs to offer some observations concerning it. He then, whilst inclosing copies of the sentence of condemnation pronounced by the tribunal at Mozambique, of the report of the naval officer who apprehended the vessel, and of the Commission which was named by the Governor-General of Mozambique,

states the reasons for which the "Charles et Georges" was treated differently from two other French vessels that came to Ibo to engage free labourers, and for which she was handed over to the judicial power, these reasons being those stated in the last-named document, of which I had the honour of inclosing a translation in my above-named despatch of the 7th instant, viz., the purchase of slaves; the absence of documents to prove their legitimate engagements; the declarations of the negroes that they had been taken against their will; and the contradictory answers of the captain, and the fact of the vessel having been apprehended within cannon-shot of the shore.

The Marquis de Loulé likewise calls the attention of the French Minister to one of the documents annexed to one of the notes of the latter, in which, with reference to the negroes, it is said: "Ils ont tous répondu qu'ils consentaient d'aller à l'Ile de Bourbon pour cinq ans. Tous ont été libres à bord excepté les onze premiers, qui sur leur consentement se sont rendus dans la chaloupe, les bras amarrés."

It was on all these grounds, says the Marquis de Loulé, in summing up, that it was necessary that the "Charles et Georges" should be given over to the judicial authorities; and he adds, that the Portuguese Government regret that they cannot comply with the wishes of the French Government in respect to the release of the vessel and the liberation of the captain, because the case is now in the hands of the judicial power before the Court of Relação of Lisbon, to which the captain himself appealed, and which he accordingly recognized, and because, according to the Constitution, the judicial power is independent, and no authority has a right to withdraw from its action a cause pending before it.

The Marquis de Loulé again, at the conclusion of his note, expresses the regret of the Portuguese Government at not being able to accede to the requests of the French Government, as well as the value which they attach to the maintenance of their friendly relations with France.

The Marquis de Loulé begged me to point out more particularly to your Lordship that this was shown to be a case not of the engagement of free labourers, but of the actual purchase of slaves. His Excellency did not make any application to me for your Lordship's valuable assistance, but I feel persuaded that he would be very grateful should your Lordship be able to afford the Portuguese Government any aid in the treatment of this question with the French Government.

In the event (which appears most probable) of the French Government insisting upon their demands, the Portuguese Government, having assented to the principle laid down in the Protocol of the Paris Conferences of the 14th of April, 1858, will, as the Marquis de Loulé has confidentially informed me, propose to refer the question in dispute to the mediation of a friendly Power, a course of which I ventured to express a favourable opinion.

His Excellency in conversing with me yesterday on this point, said he would be disposed to leave the choice of the mediator to the French Government.

I asked the Marquis de Lisle yesterday whether, in the event of the answer of the Portuguese Government being a refusal, he had instructions to take any further measures. He replied that he had not; but that he concluded that when his Government made their demand, they knew what further course they would adopt.

There is a weak point in the Portuguese case, which is, that it appears that the Judge at Mozambique, after having examined the cause, ought, upon finding grounds for further judicial proceedings, to have referred it to the Prize Court at Loanda, which is the competent tribunal in such matters, and not to have decided it himself; but the Marquis de Loulé stated to me that it was not for the Government, but for the Court of Relação, to decide upon this question of competency. This statement his Excellency made in answer to a question of mine whether, on the ground of this alleged informality, the Government would be authorized in quashing the proceedings of the Court at Mozambique, and in releasing the vessel.

No. 15.

The Earl of Malmesbury to Mr. Howard.

Sir,

Foreign Office, September 25, 1858.

I HAVE received your despatches of the 6th, 7th, and 18th instant, relating to the question in dispute between the French and Portuguese Governments, arising out of the condemnation, as a slaver, by the tribunal of Mozambique, of the French vessel "Charles et Georges;" and I have to acquaint you that Her Majesty's Government approve your proceedings in this matter, and that they have learnt, with satisfaction, that the Portuguese Government propose to refer the question to the mediation of a friendly Power.

I have transmitted to Her Majesty's Ambassador at Paris copies of your despatches above referred to; and I have to instruct you to assure the Portuguese Government that the friendly offices of Her Majesty's Government will not be wanting for the purpose of bringing about an amicable settlement of the difference between the French and Portuguese Governments upon this subject.

I am, &c.
(Signed) MALMESBURY.

No. 16.

The Earl of Malmesbury to Earl Cowley.

My Lord,

Foreign Office, September 25, 1858.

WITH reference to my despatch of the 23rd ultimo, I transmit to your Excellency herewith, for your information, copies of further despatches, as noted in the margin,* which I have received from Her Majesty's Minister at Lisbon, respecting the question in dispute between the French and Portuguese Governments, arising out of the condemnation, as a slaver, by the tribunal of Mozambique, of the French vessel "Charles et Georges," from which your Excellency will perceive that this affair has assumed a very serious aspect.

I am, &c.
(Signed) MALMESBURY.

No. 17.

Earl Cowley to the Earl of Malmesbury.

(Extract.)

Paris, September 30, 1858.

THE state of the relations between this country and Portugal, to which I had the honour of calling your Lordship's attention in my despatch of the 20th instant, induced me to inquire this afternoon of Count Walewski whether he had any later intelligence from Lisbon.

His Excellency entered at once upon an exposition of the questions which menaced the continuation of the good understanding between the two Governments, which, however, he expressed himself to be most desirous of maintaining. He said that they had arisen out of the weakness and inefficiency of the present Portuguese Government, which had not the means of acting with vigour or with justice. He passed rapidly over the question of the Sisters of Charity, though he characterised the treatment with which they had met as unworthy of a Christian country; but he said that the Imperial Government did not pretend to insist on their remaining at Lisbon, though they ought to meet with protection as long as they remain there. He then went into a history of the case of the "Charles et Georges." The French Government, he said, considered that the ship had been illegally captured, and under that conviction had demanded its release, leaving the question of compensation for

* Nos. 10, 11, 12 and 14.

future settlement. This demand had been refused in a note not over courteous, and the question of future proceedings was now under the consideration of the Imperial Government; he (Count Walewski) had insisted, with success, that the question should be referred to the "Comité des Contentieux," in his Department, whose province it was to give an opinion upon transactions of this nature. The report would not be ready for a few days more, but in the meantime some ships had been dispatched towards the Tagus, since, in case the report should be in favour of the release of the ship, a demand would be made for that release within the twenty-four hours, and would be enforced, if not complied with. On the other hand, if the report advised an appeal to the higher tribunals of Lisbon, the release of the captain on bail would be required.

I observed that I had seen Mr. Howard's reports on this subject, who, I could assure his Excellency, had given the best advice in his power, in order to prevent this matter gaining undue proportions. It appeared from those reports that the Portuguese Government were, according to the law of Portugal, powerless to stop a case which had come under the cognizance of the tribunals, and that if this was so, their resistance to the demands of France ought not to be attributed to ill-will.

Count Walewski replied, that the whole question turned on the legality of the original capture. If the reports received by the French Government were correct, the capture was effected beyond the jurisdiction of Portugal, and the Portuguese tribunals, therefore, were incompetent to judge the case.

I asked who was to decide this point, but could obtain no satisfactory answer to my question.

Count Walewski's language was very conciliatory. I feel certain that he regrets that the case has arisen, and will gladly see it settled.

It appears clear, from Mr. Howard's despatches, that there is a doubt as to the legality of some of the first proceedings after the capture was made.

No. 18.

Earl Cowley to the Earl of Malmesbury.

(Telegraphic.)

Paris, October 2, 1858.

AT the Council, this morning, the determination was taken to demand the release of the "Charles et Georges." This determination was come to on the ground that she has been condemned as a slaver, when there was a delegate of the French Government on board. It will be a day or two, however, before orders in this sense are sent to Lisbon.

No. 19.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, September 28, 1858.

WITH reference to my despatch of the 18th instant, I have the honour of transmitting herewith a copy of the note which the French Minister at this Court, the Marquis de Lisle, addressed to the Marquis de Loulé on the 14th instant, demanding the release of the French barque "Charles et Georges," and the liberation of the captain of that vessel; a translation of the Marquis de Loulé's reply of the 18th instant, declining to comply with that demand; together with a translation of the sentence of condemnation pronounced on the 8th of March last by the Judge at Mozambique upon the "Charles et Georges," and upon the captain; and a copy of the Marquis de Lisle's rejoinder of the 21st instant, acknowledging the receipt of the Marquis de Loulé's note of the 18th instant, stating his transmission of it to his Government, expressing regret at the non-compliance by the Portuguese Government with the

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demand he had been charged to prefer, and protesting against the competency of the Portuguese jurisdiction in this affair.

The Marquis de Loulé was so good as to communicate to me copies of the foregoing documents this day.

I further beg to annex translations of the report, of the 30th November last, of the commander of the Portuguese naval station at Mozambique who captured the "Charles et Georges;" of the Portaria of the same date of the Governor-General of Mozambique, appointing a Commission to inquire into the circumstances of the capture; and of the decision, of the 3rd of December last, of the Council of the Government of that Province, to the effect that the vessel ought to be given up to the action of the tribunals. Copies of these three latter documents had previously been given to me by the Viscount de Sá da Bandeira, and form, together with the sentence of the Judge at Mozambique, and the report of the Commission appointed by the Governor-General to inquire into the case, of which I had the honour of transmitting a translation in my despatch of the 7th instant, the inclosures in the Marquis de Loulé's note of the 18th instant to the French Minister.

The Marquis de Loulé, in communicating to me the papers in question, begged me to express to your Lordship how grateful the Portuguese Government would feel if your Lordship would afford them your assistance, and employ your good offices with the French Government in order to bring about an amicable settlement of this serious affair. His Excellency said that he trusted your Lordship would be the more ready to do so, because the case was evidently not one of the engagement of free labourers, but of the purchase of slaves, that is to say, a case of Slave Trade. In reply, I promised to report his Excellency's request to your Lordship by this mail. I remarked, at the same time, that the French Government denied that it was a case of Slave Trade, and professed to have proved that it was not so.

The French Minister told me, yesterday evening, that he had only been able to forward to his Government translations of the documents sent to him by the Marquis de Loulé, by the French packet of the 24th instant; but that he had announced their intended transmission at once in the telegraphic message in which he reported the refusal of the Portuguese Government to comply with the French demands, and that he had received a telegraphic message in reply, stating that his Government would await the receipt of the documents.

I should observe, that the only French vessel of war at present in this port, is a small steamer, of four guns, the "Requin," which, as I understand, has been sent here to watch this case. Therefore, if the French Government should contemplate adopting coercive measures against Portugal, they will have to send a larger naval force.

In the conversation which I had with the French Minister, on the same occasion, he laid great stress upon the violation of the French flag, which he stated to have taken place in consequence of the "Charles et Georges" having been visited and captured when beyond cannon-shot from the shore, consequently beyond Portuguese jurisdiction, as was proved by the log-book of the vessel, and other evidence; and he commented upon the circumstance of the Marquis de Loulé having passed over this primary question ("question préjudicielle") in silence. He added, that this is the first question which ought to be decided. I remarked to M. de Lisle, that the Portuguese Government affirm, as stoutly as he denies, the fact that the "Charles et Georges" was in a Portuguese bay, and within cannon-shot of the shore, and, consequently, in Portuguese waters.

In order to elicit some information which might assist your Lordship in forming a judgment, I inquired of the Marquis de Lisle how it was that the captain of the vessel, having in his possession contracts showing the engagements of the negroes as free labourers, denied having such papers when the question was put to him by the Commission of Inquiry appointed by the Governor-General, and why he did not produce them on the trial.

The Marquis de Lisle replied, that the captain had shown them, with his other papers, to the Commander of the Portuguese schooner of war

"Zambesi," who visited his vessel, and who declared himself satisfied with the papers; that he had not been questioned concerning them by the Commission (whereas the report of that body says that he was); and that he had not produced them at the trial, because he was not asked for them, and because he was not interrogated on the occasion of the trial. The Marquis de Lisle observed, however, that he was aware that the Portuguese form of legal procedure did not require an oral interrogatory.

Inclosure 1 in No. 19.

The Marquis de Lisle to the Marquis de Loulé.

Légation de France en Portugal,

Lisbonne, le 14 Septembre, 1858.

M. le Marquis,

PAR ma note en date du 6 Mai dernier, et en exécution des ordres du Gouvernement de l'Empereur, j'ai eu l'honneur de demander une première fois à votre Excellence que le Gouvernement de Sa Majesté Très Fidèle adressât immédiatement à l'autorité supérieure de Mozambique l'ordre précis de relâcher ou de remettre à l'officier de la Marine Impériale, envoyé par le Gouverneur de l'Ile de la Réunion, pour le recevoir, le navire Français le "Charles et Georges," arrêté le 29 Novembre, 1857, sous fausse inculpation de traite.

Par une seconde note en date du 11 Mai, j'ai eu l'honneur d'informer votre Excellence que la communication officielle qu'elle avait bien voulu m'adresser, le 5 du même mois, ne modifiant en rien les appréciations que je lui avais déjà soumises, je devais maintenir mes premières conclusions et redemander la mise en liberté du "Charles et Georges."

Par une troisième note, sous la date du 15 Août, j'ai sollicité de nouveau et plus vivement que jamais au nom du Gouvernement de l'Empereur, la relâche immédiate du "Charles et Georges," qui venait d'entrer dans le Tage sous pavillon Portugais, et la mise en liberté du Capitaine Mathurin Rouxel, détenu prisonnier à bord de son propre navire.

Votre Excellence n'a répondu à ces trois notes que par des accusés de réception m'annonçant leur transmission au Département de la Marine Royale.

J'ai adressé, de plus, à votre Excellence, sous la date du 21 Août, un résumé, aussi fidèle que possible, des volumineux documents que je lui remettrais le même jour, ou que j'avais déjà remis directement à son Excellence M. le Vicomte de Sá.

Que votre Excellence veuille bien enfin se rappeler la conférence que j'ai eue avec elle Vendredi dernier, et la communication que je lui ai faite d'une partie des instructions que je venais de recevoir du Gouvernement de l'Empereur. Mes nombreuses entrevues avec M. le Vicomte de Sá n'ayant eu aucun caractère officiel, je n'en parle ici que pour bien constater mon vif désir de terminer à l'amiable une affaire qui peut malheureusement compromettre les bonnes relations des deux pays.

Après tant de communications verbales ou écrites, officielles ou officieuses, il me paraîtrait tout au moins inutiles, M. le Marquis, de reprendre la discussion des faits. Je rappellerai seulement que le "Charles et Georges" parti le 27 Septembre, 1857, de l'Ile de la Réunion, avec l'assentiment de l'autorité Coloniale, et muni de papiers réguliers établissant aussi formellement que possible le caractère légal de ses opérations, avait en outre, à son bord, un agent officiellement chargé de veiller à ce que ces opérations s'effectuassent dans les conditions exigées par les règlements; ces actes incontestables émanés d'une autorité Française, excluant jusqu'à la possibilité d'une accusation ou même d'un soupçon de traite, le Gouvernement de l'Empereur n'admet pas que le "Charles et Georges" ait pu être considéré et jugé comme négrier.

Le Gouvernement de l'Empereur se réservant d'apprécier le degré de responsabilité encouru par les autorités qui ont opéré la capture, et procédé au jugement du "Charles et Georges," présentera plus tard les demandes en indemnités qu'il jugera équitables. En attendant, il m'a donné l'ordre formel de demander que ce navire soit immédiatement

relâché son capitaine, Mathurin Rouxel, mis en liberté; et il aime à penser que le Gouvernement de Sa Majesté Très Fidèle comprendra que son refus de satisfaire à ces justes réclamations ne pourrait qu'aggraver les difficultés d'une affaire qu'il doit avoir à cœur de terminer.

Il ne me reste, M. le Marquis, qu'à prier votre Excellence de vouloir bien me faire connaître, le plus tôt possible, la décision que le Gouvernement de Sa Majesté Très Fidèle aura cru devoir prendre.

Agréé, &c.

(Signé) F. DE LISLE.

(Translation.)

The French Legation in Portugal,

Lisbon, September 14, 1858.

M. le Marquis,

BY my note dated the 6th of May last, and in execution of the orders of the Government of the Emperor, I had the honour of demanding the first time from your Excellency that the Government of His Most Faithful Majesty should immediately address to the superior authority of Mozambique the positive order to release, or to surrender to the officer of the Imperial Navy sent by the Governor of the Island of Réunion to receive her, the French vessel "Charles et Georges," captured the 29th of November, 1857, under a false charge of slave-dealing.

By a second note dated the 11th of May, I had the honour of informing your Excellency that the official communication which you had been good enough to address to me on the 5th of the same month, modifying in nothing the views which I had already submitted to you, I had to maintain my first conclusions, and to demand again the release of the "Charles et Georges."

By a third note, under date of the 15th of August, I demanded afresh, and more strongly than ever, in the name of the Government of the Emperor, the immediate release of the "Charles et Georges," which had just entered the Tagus under the Portuguese flag, and the release of Captain Mathurin Rouxel, kept as prisoner on board of his own ship.

Your Excellency only replied to these three notes by acknowledgments of their receipt, announcing to me their transmission to the Department of the Royal Navy.

I addressed, moreover, to your Excellency, under date of the 21st of August, a résumé as faithful as possible of the voluminous documents which I remitted the same day, or which I had already remitted directly to his Excellency the Viscount de Sá.

I beg to remind your Excellency of the conference which I held with you last Friday, and the communication which I made to you of a part of the instructions which I had just received from the Government of the Emperor. My numerous interviews with the Viscount de Sá having had no official character, I only mention them here in order to prove my earnest desire of terminating, in an amicable manner, an affair which might unhappily compromise the friendly relations of the two countries.

After so many communications, both verbal and written, official and non-official, it would appear to me, to say the least, useless, M. le Marquis, to resume the discussion of the facts. I will only again remark, that the "Charles et Georges" having left the Island of Réunion with the consent of the Colonial authorities, and furnished with regular papers, establishing as formally as possible the legal character of her operations, had besides on board an agent, officially charged to watch that her operations should be effected on the conditions required by the regulations; these incontestable facts emanating from the French authorities, excluding the possibility of an accusation, or even of a suspicion of slave-trading, the Government of the Emperor does not admit that the "Charles et Georges" could be considered and condemned as a slaver.

The Government of the Emperor, reserving to itself the right of determining the degree of responsibility incurred by the authorities who effected the capture, and proceeded to the judgment of the "Charles et Georges," will present at a later period the demands for indemnity which they shall consider as equitable.

In the meantime, they have formally ordered me to demand that this ship be immediately released, that her captain, Mathurin Rouxel, be set at liberty, and they hope that the Government of His Most Faithful Majesty will understand that their refusal to satisfy these just claims can only increase the difficulties of an affair which they ought earnestly to desire to terminate.

It only remains for me, M. le Marquis, to beg your Excellency to have the goodness to let me know, as soon as possible, the decision which the Government of His Most Faithful Majesty may think fit to adopt.

Accept, &c.

(Signed) E. DE LISLE.

Inclosure 2 in No. 19.

The Marquis de Loulé to the Marquis de Lisle.

(Translation.)

Illustrious and Excellent Sir,

Palace, September 18, 1858.

I HAD the honour to receive the note which you were pleased to address to me on the 14th instant, wherein, in recapitulating what you had previously stated with reference to your claim respecting the French barque "Charles et Georges," captured in the Province of Mozambique, you again urge, by order of your Government, the immediate delivery of that vessel, and the liberation of her captain.

In reply, I beg your Excellency's permission to offer some remarks, which I trust will be taken into due consideration by your Excellency, as well as by the Government of His Majesty the Emperor of the French.

His Most Faithful Majesty's Government considering that the Imperial Government are not sufficiently well informed of all the particulars and circumstances which occurred in the detention and capture of the barque "Charles et Georges," I have the honour to transmit to your Excellency, for your information, and that of your Government, the inclosed copy of the sentence condemning the captured vessel, together with the further copies of four other documents, viz. :—

1. The despatch of the commander of the brig-schooner "Zambesi," who detained the vessel near the Island of Quitangonha, in the Bay of Conducia.

2. The Portaria, by virtue of which the Governor-General of the Province of Mozambique appointed a Commission for inquiring into the case of the vessel thus detained.

3. The Report presented by that Commission ; and,

4. The Minute of the sitting of the Governor of that Province, in Council, when it was unanimously voted that the vessel should be given over to the action of the judicial power.

It is true that the French barques "Marie Caroline" and "Marie Stella" were detained at Mozambique, owing to having on board articles for the Slave Trade, and subsequently released, by order of the Governor-General of the province ; but these vessels, besides being at Ibo, which is a port open to foreign trade, had legal papers on board, by which the Government of Réunion authorised the engagement of free labourers ; and, therefore, the Governor-General, attaching full faith to these documents, released the vessels, requiring, however, from the respective captains and delegates of the Government of Réunion who were on board, a written declaration, which they both signed, that they would not engage nor ship labourers in the ports of Mozambique, as this was expressly forbidden by His Most Faithful Majesty's Government ; and this proves the urbanity and courtesy with which the chief authority of the province treats the French flag.

The barque "Charles et Georges" was not in the same case, so that the same consideration and deference could not be exercised towards her :

1. Because this vessel was detained in the Bay of Conducia, quite near to the city of Mozambique, from whose port it is separated by a small peninsula, where there are several villages, which are looked on as the suburbs of the city.

2. Because when the vessel was visited by the commander of the "Zambesi," and of the Portuguese naval station, it was anchored at less than cannon-range from the Island of Quitangonha, situated in the same bay.

3. Because this bay is not open to foreign trade.

4. Because the vessel had taken on board negroes from the coast of Mozambique, some of them being slaves belonging to Portuguese land-owners of that province; and on asking these negroes the reason of their being on board, they declared that they were there against their will, having been sold.

5. Because the captain, having been asked for the passports or documents of the slaves (whom he called colonists), to prove the legality of the engagement of the 110 negroes on board, he answered, that he had no such papers; as he also declared that he had not the consent of the Portuguese authorities for such engagement.

6. Because the want of consistency in the answers given by the captain proved his culpability; and, being unable to defend himself, he, at one time, stated that the money he had on board, to the amount of about 4,000 dollars, was for the purchase of provisions (when the vessel had provisions for two months for 300 persons); at another, he stated it to be for engaging more people, and that he had bought the negroes then on board.

7. Because the plea of being in distress, with which the captain exculpated his entrance at Conducia, was only a pretext to disguise his projects; for there was no cause for such distress, as appears from the Minute of the detention of the vessel at Conducia (signed, also, by the captain himself), of which I send your Excellency a copy, for your information.

All the assertions which I have just brought forward are sufficiently set forth in the detailed despatch of the Marine Department dated the 30th of June last, of which a copy is annexed, as also in the report of the commander of the Portuguese naval station upon the detention of the barque "Charles et Georges," and in the report of the Commission charged with examining this barque. These documents are among those to which I allude in the first part of this note.

Besides this, I cannot fail to call your Excellency's attention to a document (a copy of which was sent by you to His Majesty's Government on the 15th of August last) relative to the engagement of 40 labourers for the barque "Charles et Georges," and in which the following statement occurs:—

"Ils ont tous répondu qu'ils consentaient d'aller à l'Île Bourbon pour cinq ans; tous ont été libres à bord excepté les onze premiers, qui sur leur consentement se sont rendus dans la chaloupe, les bras amarrés."

Under the circumstances of this case, it could not fail to be given up, as it eventually was, to the action of the tribunals; and, after this was effected, it would not be possible to carry out what you claim in your above-mentioned note of the 14th instant. The vessel "Charles et Georges" and her captain being under the control of the judicial power in the Court of Appeal of Lisbon (to which Court the captain himself appealed from the sentence of condemnation, and, as I am informed, recognizing the legality of that Court, he has appointed counsel in his defence), and, in accordance with the Constitutional Charter of the Monarchy, the judicial power is independent (Article 118), and no other authority can withdraw any pending suit, or stop it (Article 145, section 11).

In concluding this note, it is my duty to assure your Excellency that it is with the greatest regret that His Majesty's Government, for the reasons above mentioned, is prevented from acceding to the claim of the Imperial Government, for whom they entertain the highest consideration, and with whom they much desire to continue to maintain the good understanding which happily has existed between the two nations.

I avail, &c.

(Signed) MARQUIS DE LOULE.

Inclosure 3 in No. 19.

Sentence.

(Translation.)

IN presence of these minutes, &c., the public prosecutor, in the indictment, accuses the Captain Rouxel, and the crew of the French barque "Charles et Georges," of having infringed the provisions of the Decree of the 17th of October, 1853, Article 10, single Section, and of Article XXX of the Treaty of Commerce between France and Portugal of the 21st of September, 1853, and, lastly, those of the Decree of the 10th of December, 1836, concluding by demanding the condemnation of the accused, of the vessel and cargo, as having incurred the penalties of Article 19, Sections 1 and 2, of the above Decree of 1836, of the Alvarás of the 14th of November, 1757, 4th of June, 1825, and the Decree of the 10th September, 1836 ;

The counsel for the accused and Curator of Minors, in the absence of information and documents, which he did not obtain from them, opposed, by denial ;

All of which being taken into consideration—the report of Commander of the schooner, the minute of capture, the summing up, defence, and examination of the accused, with the documents presented in the discussion (folio) ;

It is shown that, on the 29th of November last, the French barque "Charles et Georges," Captain Rouxel, was captured while at anchor in the port of Conducia, at the southern point of Quitangonha, by the war-schooner "Zambesi," which was sent expressly for that purpose by the Governor-General of this province (documents, folio to folio).

It is further shown that the captured barque was twice anchored at the port of Conducia, and that she communicated with the shore, landing the captain and Arab interpreter for the purpose of purchasing slaves (documents, folio , and depositions of the crew, folio).

The motives brought forward by the captain in his so-called Report, dated the 13th December last, and presented in the discussion of this case, cannot, and ought not, to be admitted ; inasmuch as if it were true that he could not, from stress of weather, fetch the port of Ibo, he would have fetched the port of this city, six miles further to the south, where he would easily have repaired the alleged damages, which do not exist, nor did they exist, as is shown by the valuation (folio), besides the manifest contradiction between the alleged stress of weather, and the declaration made by the same person signing the Report, in the act of the capture, of having anchored in that port, Conducia, in search of medical advice (document, folio).

It is further shown that, at Anjoanes, he received an interpreter and a pilot for the East Coast of Africa, the Arab Abdalá, with the object of purchasing slaves at Quitangonha, as expressed in the contract (folio), and confirmed by the declaration made by the delegate of the French Government and crew of the barque in the minute of depositions (folio).

It is shown, moreover, that he received on board negro slaves bought with money at Quitangonha, being brought off under restraint, and that he did not complete his shipment on account of the capture, during which two launches with slaves were putting off from the shore, but decamped as soon as they saw the soldiers (deposition, folio and folio).

Finally, it is shown that on board the barque "Charles et Georges" were found slave-decks and other things included in the Schedule annexed to the above-mentioned Decree of the 10th December, 1836, and 110 negroes who were given up to the Board of Guardians in accordance with the Decree of the 14th December, 1854.

Therefore, and in view of the Minutes, as in the capture is contained the sure proof of the crime of which the accused, Captain Rouxel, is indicted, and no proof to the contrary existing, I judge the barque "Charles et Georges" to be a good prize, and the slaves found on board to be free, the case in question coming under the action of the laws pointed out, and of the Decree of the 25th July, 1842. In attention, however, to various circumstances of the case, and as no culpability has resulted against the Delegate of the French Government and the crew of

the said barque, inasmuch as the Traffic was exclusively carried on by Captain Rouxel and the interpreter Abdalá, I acquit the Delegate Nicolas Carrel and the crew, and condemn the Captain Etienne Maturin Rouxel to hard labour in the public works for the term of two years, counting the time which he has been imprisoned, in the costs, and in a fine of 500 milreis; and I condemn the barque "Charles et Georges," her fittings, cargo, and money, captured according to the stipulations of the Alvará of the 4th June, 1825, the vessel to be broken up, and sold in pieces, should the Government not wish to keep her according to the Decree of the 10th September, 1846, the value to be divided among the captors according to the provisions of the Regulating Alvará of the 7th December, 1796, in conjunction with Article 24 of the Decree of the 10th December, 1836.

Let this judgment be made known to the Public Prosecutor, in order to promote the arrest of the Arab Abdalá.

Mozambique, March 8, 1858.

(Signed)

JOAO CAETANO DA SILVA CAMPOS.

This is all that is contained in the said sentence, from which I took this copy, and sign the same.

Mozambique, April 12, 1858.

(Signed)

F. F. SANDAR DE CARVALHO.

Inclosure 4 in No. 19.

The Marquis de Lisle to the Marquis de Loulé.

Légation de France en Portugal,

Lisbonne, le 21 Septembre, 1858.

M. le Marquis,

J'AI reçu la note en date du 18 courant, que votre Excellence m'a fait l'honneur de m'adresser en réponse à celle que je lui ai écrite, le 14, pour réclamer la relaxation du navire Français le "Charles et Georges," ainsi que la mise en liberté de son capitaine; et je me suis empressé de la transmettre au Gouvernement de l'Empereur, à qui je ne manquerai pas non plus de communiquer, dès qu'ils seront traduits, les documents que votre Excellence a jugé à propos de m'envoyer.

Il me paraît profondément regrettable que le Gouvernement de Sa Majesté Très Fidèle se croie dans l'impossibilité d'obtempérer à la demande que j'ai reçu l'ordre de lui présenter. J'attendais, je l'avoue, une toute autre décision de son esprit de sagesse et de conciliation, auquel je fais encore appel; mais, quoiqu'il en soit, ne pouvant admettre qu'une question internationale de la plus haute gravité, puisqu'elle touche aux droits du pavillon, soit réduite aux proportions que le Gouvernement du Roi s'efforce de lui donner, je proteste formellement contre la compétence que prétend s'attribuer la juridiction Portugaise dans une affaire dont elle n'a ni n'avait à connaître.

Agréez, &c.

(Signé)

E. DE LISLE.

(Translation.)

The French Legation in Portugal,

Lisbon, September 21, 1858.

M. le Marquis,

I HAVE received the note dated the 18th instant, which your Excellency did me the honour of addressing to me in reply to that which I wrote to your Excellency on the 14th, in order to claim the release of the French vessel "Charles et Georges," as also the liberation of her captain; and I hastened to transmit it to the Government of the Emperor, to whom I shall not fail to communicate, as soon as they are translated, the documents which your Excellency has thought fit to send me on the subject.

It appears to me a subject of profound regret that the Government of His Most Faithful Majesty considers it impossible to comply with the demand which I have been ordered to present to them. I expected, I confess, quite a different decision from its wise and conciliatory spirit, to

which I again appeal. But, in any case, not being able to admit that an international question which is of the highest gravity, since it touches on the rights of the flag, should be reduced to the proportions which the Government of the King insists on giving it, I protest formally against the competence which the Portuguese jurisdiction claims in an affair of which it neither has, nor ever had, any knowledge.

Accept, &c.
(Signed) E. DE LISLE.

Inclosure 5 in No. 19.

The Commander of the Naval Station to the Governor-General of Mozambique.

*On board the French Barque "Charles et Georges,"
anchored in the Port of Mozambique,
November 30, 1857.*

(Translation.)
Illustrious and Excellent Sir,

I HAVE the honour to acquaint your Excellency that having sailed from the port of Mozambique in the schooner "Enigma," in compliance with your Excellency's verbal orders, on the 22nd instant, for the port of Conducia, in order to seek for a vessel which was suspected of being engaged in shipping slaves, I only arrived there on the 23rd, at thirty-nine minutes after mid-day, but found no vessel there; but seeing at a distance out at sea a barque cruising about, I sent on shore to the ensign, Cabral, who had been sent with some troops to aid in this service, for information, and he sent me word that there was nothing to cause suspicion, but that he had seen the said barque, which was anchored near to the Island of Quitagonha, when he had arrived there on the 22nd at 4 P.M., and had left on the same day when the moon went down, having been anchored there for four days, and he had been told that nothing was stirring at that place, but perhaps something might be doing at Matibana. At sunset on the 23rd, the barque put out to sea with all sail set, and was not seen any more.

On the 26th the brig-schooner "Zambesi" arrived with your Excellency's orders to send the schooner, with as many hands as could be spared, to Mozambique, in the event of the disappearance of the said barque, and that I should cruise along the coast in the brig-schooner as far as Fernão Vellozo.

On the 27th the schooner "Enigma" sailed for Mozambique, and I, having met with nothing suspicious, anchored at Conducia.

On the 28th, at 5 A.M., I set sail, and stood along the coast, very near in-shore, and anchored in the Bay of Fernão Vellozo at 1:30 P.M. Having examined this place, we found nothing to cause suspicion, and at 6:30 P.M. I set sail with the intention of cruising in front of Conducia.

On the 29th, soon after sunrise, a sail was seen to windward, and at 7 A.M. she was made out to be a barque standing to the south. I gave chase, and at 8 A.M. she went about, and stood for the north. At 10:30, when we were at about four miles distance from her, she anchored off the Island of Quitangonha, within cannon-range of the land. I followed; and at 12:30 being near, I hoisted the national flag and pennant, and fired a shotted gun. The barque then hoisted the French flag, when I anchored. Before anchoring, the barque's boat was seen alongside with people in her, and when the "Zambesi's" boat was manning, they were seen to enter the ship, and to hoist up a small case.

I proceeded on board the barque in uniform, with the national flag and pennant flying, and with an armed crew, which remained in the boat while I alone went up, and asking for the captain of the vessel, I was told that he was ill, and having asked the person who stated himself to be the mate for the ship's papers, he presented these, and I showed him my warrant as cruiser, and he produced the license from his Government for carrying colonists. I saw two large coppers fixed, and I asked the captain, who afterwards declared himself as such, and said that it was the mate and the second mate who were very sick, permission to visit the ship, to which he assented. Having gone below, I found a flush deck where there were 110 slaves of

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both sexes ; provisions for two months for 300 persons ; a sufficient amount of water, besides three distilling machines in use. In consequence of what I saw I did not search any further, for there were proofs sufficient of having incurred the liabilities of the Decree of 10th December, 1836, and subsequent enactments.

I asked the captain whether he had passports for the slaves whom he called colonists : he said no.

On being asked where he came from, he said from Anjoane, and that the colonists were from that place ; that the vessel had touched the ground and was leaky, that she could not bear much sail, and that he had met with calms and strong currents ; that he wished to go to Ibo to procure medical advice, but had been prevented by contrary winds, and had, therefore, come to this port.

I replied that for the last three days the wind had been from the south, which was favourable for going to Ibo ; and that I was surprised to hear that the vessel could not bear much sail, when he sailed her on a bowline with all her canvass set ; with regard to the necessity for medical advice, which he alleged, he would have done better to have gone to Mozambique, which, being the capital of the Province, offered more resources, instead of coming to this place, which is an open bay without shelter or any resource.

The captain stated his name to be Charles Rouxel ; the name of the barque "Charles et Georges," of 372 tons, with fifteen persons on board, including a delegate of the French Government.

I went below and spoke with some of the slaves, who answered in Portuguese, that some belonged to Mozambique, and stated the names of their masters ; others to Matibane and to various other places in the Province of Mozambique, from whence they had been stolen and sold to a Moor.

The captain stated that he had come here to receive colonists on board, as he had found none at Anjoane ; that he had come to trade : he had sent money and received colonists, as he was authorised by his Government.

To this I replied that I did not doubt it, but that the authorization of his Government was subject to the condition of obtaining the consent of the Portuguese authorities, without which his Government recommended him never to receive colonists, and that such consent would imply a grave responsibility. The captain agreed to this.

I then asked him whether he could show me the written consent of the Portuguese authorities : he said he had none.

When I again spoke of the money, he said that he was going on shore to buy provisions ; at this I expressed surprise, as he had such a stock of provisions on board ; and I noted that his answers did not always agree.

Having found in the ship's boat a small piece of blue bunting fixed on a stick, I asked him whether that was the signal for going on shore : he said that it was the signal used at Anjoane for going for provisions, and that it had been left in the boat. It was known through the slaves that they expected yesterday more companions, to the number of 119 as the interpreter said, and it is a fact that when I was going on board the barque in my boat, two launches were leaving full of people from Matibane, but they put back to the land directly.

In consequence of what has been stated I considered it my duty not to give up the vessel, and I told the captain that it was necessary to go to Mozambique in order to lay the circumstances before your Excellency, and await your decision ; that I would send for a pilot for the greater security of conveying the vessel to Mozambique, where they would find a surgeon, and everything they might require ; to this the captain and the delegate agreed, and thanked me.

It is clearly seen that the captain is aware of having transgressed the orders of his own Government, and shipped the slaves clandestinely without any lawful formality ; he made various statements, in different senses, and appears not to know how to frame any excuse for his proceedings.

Accordingly, I determined upon detaining the vessel, and upon remain-

ing on board with an armed force to maintain order, awaiting your Excellency's instructions, which I this day received, and carried into execution by returning in the barque with the "Zambesi" to the port of Mozambique, where I have just dropped anchor.

On setting sail it was apparent that the barque could very well carry her sail, and steered very well; and she is not very leaky, making less than five inches of water in twenty-four hours.

I have the honour to transmit to your Excellency the inclosed Minute, which I drew up immediately after the visit, in order to comply with the requirements of the law under these circumstances.

God preserve, &c.

(Signed)

JOAO EUZEBIO D'OLIVEIRA,

Commander of Naval Station.

Inclosure 6 in No. 19.

Minute, dated November 29, 1857.

AT 12:30 P.M., on board of the French barque "Charles et Georges," Captain Rouxel, anchored near the Island of Quitangonha, in eleven fathoms; João Euzebio d'Oliveira, First Lieutenant, Commander of the naval station at Mozambique, doing service in the brig-of-war "Zambesi," came on board of said barque, in a boat, bearing the national flag and pennant, and with an armed crew of nine men, who remained in the boat; and upon entering the said barque, which was within cannon-range of the said Island of Quitangonha, the said commander presented his warrant, as cruizer. The captain said, in the first place, that the mate was dangerously ill; and he showed his papers, as requested by the commander, who then requested permission to visit the ship, which was granted. Two large cooking-coppers were seen, fixed; three distilling machines; a flush-deck; forty casks, for water; provisions for two months for 300 persons; and 110 slaves, whom the captain called labourers, but whom, from the following information, are, as I say, slaves.

On questioning the slaves, they stated themselves to be, some from Mozambique, others from Matibane and other places in the Province of Mozambique, stolen by Moors, and conveyed on board; some have been on board for two months; others for twelve days: that this day two bags, with money, were about being sent on shore, but on the arrival of the "Zambesi," the money, which was already in the boat, was brought on board; and when the "Zambesi's" boat was coming on board the barque, the people came up and hoisted in a small package: that to-day 119 more slaves were to come on board, and were in launches, but put back to the shore on the arrival of the "Zambesi."

On asking the captain why he had anchored here, he said, to procure a surgeon; that he wished to go to Ibo, but had no wind; that the vessel was leaky, having touched the ground; that she did not answer her helm, and could not carry her sail.

To this the Commander of the Station replied, that for three days southerly winds had prevailed on the coast, and that having seen the vessel with all her canvass set, including top-gallant sails and stay-sails, she must have been able to carry them; that for some days she had been seen cruising off this place, and if they required repairs and medical aid, it would have been better to have gone to Mozambique, and not to this place, which was an open bay, without any shelter, and where there were no resources, nor even any authorities.

In the boat belonging to the said barque was found a small piece of blue bunting, on a stick, as a signal for going on shore.

Then came from on board the brig-schooner the force, up to sixteen rank and file, and seven scamen; after which the Commander of the Naval Station said to the captain, that he would send to Mozambique for a pilot, to take the vessel there, in order that his Excellency the Governor-General of the Province may take cognisance of this question, and decide as he may think fit in justice; and as the vessel required repairs, and some of

her crew medical aid, they would find both there. To which both the captain of the vessel and the delegate of the French Government, who was present, agreed thankfully.

And nothing further having occurred from the time of the arrival of the brig's boat, this Minute was drawn up and signed by all who were present, together with the Commander of the Station, who drew up the same, and in testimony has signed.

Date as above.

(Signed)

JOAO EUZEBIO D'OLIVEIRA, *First Lieutenant,
Commander of Naval Station.*

FRANCISCO DOS SANTOS SMITH, *Sergeant of
Marines.*

JOAO MANOEL FILGUEIRAS, *Lance-Corporal
of the Line.*

JOAQUIM PINTO MONTEIRO, *Corporal.*

FORTUNATO LEITO COELHO, *Seaman.*

ANTONIO CORREIA, *Private.*

EMILIO DA COSTA, *Private.*

ROUXEL, *le Capitaine du trois-mâts "Charles et
Georges."*

CARRERE, Fils, *le Délégué du Gouvernement.*

Inclosure 7 in No. 19.

Portaria.

(Translation.)

WHEREAS, it being necessary that a Commission composed of competent persons shall inquire into and declare the circumstances connected with the French barque "Charles et Georges," Captain George Rouxel, detained yesterday by the Government brig-schooner "Zambesi," off the Island of Quitangonha, where she had anchored with upwards of 100 negroes on board, the Governor-General of the Province of Mozambique determines that the said Commission be composed of the following individuals:—The Director of the Custom-house, President; the First Lieutenant, R. N. João Euzebio d'Oliveira, Ensign; Miguel Augusto da Silva Cordeiro, Acting Captain of the Port; the Chief Clerk of the Government Office, F. C. da Silveira Estrella, and one of the Clerks of the Custom-house, to write down the declarations of the Commission, which Commission will immediately proceed on board of the said vessel in order to point out and state what fiscal laws the said vessel may have contravened, also the liabilities she may have incurred from the fact of having been found with negroes on board; the position of the said negroes on board, whether as free men or under restraint, and the nature of such restraint, if any; if not under restraint, whether any indications exist of their having been so, and the nature of these; whether there are on board any negroes recognized as belonging to individuals of this city, or inhabitants of the Continent; the number of such negroes and their names, and the names of their masters. It is also necessary that the Commission be accompanied by an interpreter, who shall ascertain from the negroes the manner in which they were brought on board, whether voluntarily or by sale, or by any other compulsory means, entering on the Minute the depositions of the negroes thus interrogated, with their names, the ports at which they were shipped, the names of the persons who sold them, &c. It is, in fine, the duty of the Commission, in this important question, to furnish the Colonial Government with all the requisite information which the gravity of the case demands. This is hereby made known to the Director of the Custom-house for due execution.

*Palace of the General Government of the Province of
Mozambique, November 30, 1857.*

(Signed)

JOAO TAVARES D'ALMEIDA,
Governor-General.

Inclosure 8 in No. 19.

Minute.

(Translation.)

ON the 3rd of December, 1857, having appeared at the usual place for a Government Council, his Excellency the Governor-General and other gentlemen present at the last sitting, with the exception of the Judge de Direito, owing to illness, and Senhor Celestino from unavoidable absence, the sitting was opened.

(First Part.) His Excellency stated, that the object of this meeting was to lay before the Council the circumstances which had led to the detention of the French barque "Charles et Georges," now anchored in this port, for which purpose he would make a succinct Report of all that had taken place on this question. He said that on the 20th of last month the signal-man at St. Sebastião noticed a vessel in sight, and at about 11 o'clock it was ascertained that the vessel had anchored at Conducia, and appeared to be firing guns; this could not be affirmed with certainty, as repeated guns had been fired on that day at Cabaceira Pequena, with the due permission granted in consequence of a Moorish wedding at that place.

That on the 21st the vessel was still there, but that he, the Governor-General, thought it might be a whaler; having, however, some suspicions of the vessel, he would then have sent to know what she was doing there, if he had had any means of doing so, for everybody is aware of the resources at his disposal.

On the 22nd, from 9 to 10 o'clock A.M., while he was expediting to Conducia an armed launch to intimate to the captain of the said vessel that he would not be allowed to remain at anchor where he was, and to inquire into the state of the case, giving the officer in command of the launch the necessary instructions, he received an intimation that the vessel was suspected of being engaged in the Slave Trade.

In which case it became necessary to have recourse to more energetic measures.

The brig-schooner "Zambesi" was not ready to put to sea immediately.

Recourse was had to the agent of the firm Bessone, requesting him to freight the schooner "Enigma" for as many days as were necessary for a Commission to the coast of Conducia, and which would not be very many.

Senhor Jacinto de Jesus e Silva, without waiting for any agreement, at once placed the ship at our service.

Provisions, water, and a crew were, without delay procured, and the First Lieutenant, João Euzebio d'Oliveira, was placed in command of the "Enigma."

While this was going on, a launch was also got ready, with a detachment of troops commanded by an officer, in order to land at Cabaceira Grande, and to go by land to Conducia to prevent the shipment of negroes, to capture such as might be found, and to burn the barracoons, if any.

The schooner "Enigma" only sailed after 5 o'clock P.M., and anchored near to the islands, having been becalmed.

On the following day, at 7 to 8 o'clock A.M., she set sail and anchored at Conducia after 12 o'clock, as stated in the despatch of the First Lieutenant Oliveira, dated 23rd, at 6.45 P.M., and received at midnight, which he would now read.

This despatch was answered on the 24th, by instructions to watch the movements of the vessel in sight, which had left the port of Conducia soon after the arrival of the detachment, and to send the schooner "Enigma" back to Mozambique, and take the command of the brig-schooner "Zambesi" which was sent to him, and adding various instructions as follow:—

On the 26th notice was received that the schooner "Enigma" was returning to Mozambique.

On the 29th the announcement was received of the detention of a French barque anchored at the Island of Quitangonha, with upwards of 100 slaves on board. On the same day a reply was sent for the "Zambesi" and the barque to proceed to Mozambique, and instructing the commander of the brig-schooner to make a report of all the occurrences and circumstances connected with the detention.

On the 30th the said report was presented, together with a Minute of the detention of the vessel.

On that same day a Commission was appointed to inquire into the circumstances of the vessel, and to give a report upon the liabilities incurred by her, and upon other points stated in the Portaria.

On the 1st of December the Commission sent in their report.

That after what had been stated, and in the presence of the several documents which had just been read, he wished to hear the opinion of the Council upon this question, which was of a serious nature, and requiring, therefore, all attention. The Council, after stating that they gave their unqualified approval to the manner in which the Administration had proceeded in the whole of this question, in adopting the most well-directed measures, were unanimously of opinion that there existed against the vessel in question serious suspicion of having violated the Decree of the 10th of December, 1836, and the fiscal laws, and that it could not, therefore, fail in being given up to the action of the judicial tribunals.

His Excellency conformed to the opinion of the Council, and ordered the necessary papers to be prepared in that sense.

Other subjects follow, and at the end the signatures in the following order.

(Signed)

TAVARES D'ALMEIDA.
MOULES.
DE M. FONSECA.
JOSE VAZ.
CARDINAS.

No. 20.

Earl Cowley to the Earl of Malmesbury.

(Extract.)

Paris, October 3, 1858.

WHEN I first conversed with Count Walewski on the subject of the "Charles et Georges," his Excellency, as your Lordship is aware, treated it on the point of the legality of the capture of the vessel in question; he maintaining that the seizure had been effected out of Portuguese waters, for an infraction of the commercial laws of Portugal, and, therefore, that the Portuguese tribunals were incompetent to confirm the seizure. It seems now that, at a Council of Ministers held yesterday morning, and presided over by the Emperor, the fact that the vessel had been condemned as a slaver was first broached, and it was decided that the condemnation as a slaver of a French ship, having a Government delegate on board, authorized to hire African labourers, was tantamount to connecting the Imperial Government with the Traffic in Slaves, and was derogatory to the honour of France. It was resolved, therefore, that the release of the "Charles et Georges," and of her captain, should be peremptorily demanded and insisted upon.

Your Lordship will not, I feel certain, suppose that I have any wish to palliate or defend the proceedings of the French Government in procuring African labour, if I venture to say that, determined as is the French Government to maintain that those proceedings do not involve a breach of their solemn declaration against the Slave Trade, they should feel deeply humiliated by a judgment which virtually makes them participants in that infamous Traffic. I cannot, therefore, hope that the decision taken at the Council yesterday will be revoked. I have asked Count Walewski whether he would be willing to refer the affair to the arbitration of a friendly Power. He has not, as yet, given me an answer, but I have little expectation that my suggestion will be attended to.

Count Walewski is gone into the country for two or three days, but I hope to see his Excellency again on Tuesday. In the mean time he has informed me that the instructions to the French Minister at Lisbon will not be sent for a day or two.

I should add, that Count Walewski stated to me yesterday that the report of the "Comité des Contentieux," to whom I apprised your Lordship the whole question had been referred, would be adverse to the pretensions of Portugal on every point. Nevertheless, his Excellency said, this might have been matter of discussion with the Portuguese Government had the "Charles et Georges" not been condemned as a slaver.

No. 21.

Mr. Howard to the Earl of Malmesbury.

(Telegraphic.)

Lisbon, October 4, 1858.

ADMIRAL LAVAUD arrived in the Tagus yesterday with two French line-of-battle ships, and others are expected to support, and doubtless eventually to enforce, the demands of the French Government in the case of the "Charles et Georges."

M. de Lisle has received a telegram from Paris informing him that these ships were on their way to Lisbon, and that he will receive instructions respecting the case of the "Charles et Georges," which is being subjected to a new examination. The Admiral is not to act in the meantime.

The conduct of the Portuguese Government in the case of the French Sisters of Charity is suspected also to have something to do with the arrival of this French naval force.

No. 22.

Earl Cowley to the Earl of Malmesbury.

(Telegraphic.)

Paris, October 5, 1858.

I REGRET to have to acquaint your Lordship that the French Government decline to submit to arbitration their differences with Portugal in the case of the "Charles et Georges."

No. 23.

The Earl of Malmesbury to Mr. Howard.

Sir,

Foreign Office, October 5, 1858.

WITH reference to my despatch of the 25th ultimo, I transmit to you herewith, for your information, in copy and extract, the despatches, as marked in the margin,* which I have received from Lord Cowley, relative to the case of the "Charles et Georges."

I am, &c.

(Signed) MALMESBURY.

* Nos. 17, 20, and 22.

No. 24.

Mr. Howard to the Earl of Malmesbury.

(Telegraphic.)

Lisbon, October 5, 1858.

I AM informed that the Portuguese Government have directed their Minister at Paris to propose to the French Government to submit their differences in the case of the "Charles et Georges" to the mediation of a friendly Power; the choice to be left to France.

No. 25.

The Earl of Malmesbury to Earl Cowley.

(Telegraphic.)

Foreign Office, October 6, 1858.

ANY hostile proceedings by France against Portugal should be strongly deprecated by your Excellency, and you should put forward the Paris Protocol at a suitable time.

No. 26.

Mr. Hammond to the Secretary to the Admiralty.

Sir,

Foreign Office, October 6, 1858.

I AM directed by the Earl of Malmesbury to request that you will acquaint the Lords Commissioners of the Admiralty that two cases have arisen, one of which appears to his Lordship to be likely to lead to a serious misunderstanding between the Governments of France and Portugal.

One of these cases relates to the insults offered to certain French Sisters of Charity in the streets of Lisbon; and the other, and more serious case, to the seizure by the Portuguese authorities in November last, and the subsequent condemnation as a slaver, by the Tribunal of Mozambique, of the French vessel "Charles et Georges."

This vessel arrived at Lisbon on the 13th of August, under the Portuguese flag, and with a Portuguese prize-crew on board, and remains there, pending an appeal made by her owners to the Superior Court at Lisbon, from the decision of the Tribunal of Mozambique.

The French Government at first contended that this vessel had been captured out of Portuguese waters, and could not therefore be competently dealt with by Portuguese tribunals. At a Council of Ministers held on the 2nd instant at Paris, and presided over by the Emperor, the question of the "Charles et Georges" having been treated as a slaver was first broached: and it was decided that the condemnation as a slaver of a French ship, having a Government Delegate on board authorized to procure African labourers, was tantamount to connecting the Imperial Government with the Traffic in Slaves. It was resolved therefore that the release of the "Charles et Georges," and of her captain, should be peremptorily demanded and insisted upon.

The Portuguese Government, on the other hand, maintain that, the case being before the proper tribunals of the country, they cannot act in the matter, and that their refusal to do so cannot be considered as arising from ill-will towards France.

From information received by Her Majesty's Government, it appears that two French ships of war have already arrived in the Tagus; but the orders of the French Government have not yet been sent out.

Under these circumstances, I am to request that you will state to the Lords Commissioners of the Admiralty that Lord Malmesbury considers it necessary that one or two of Her Majesty's ships should be held in readiness to proceed to the Tagus, to watch the events which may arise out of the above-mentioned misunderstandings between the Govern-

ments of France and Portugal, and, if necessary, to protect the lives and property of Her Majesty's subjects.

I am, &c.
(Signed) E. HAMMOND.

No. 27.

The Secretary to the Admiralty to Mr. Hammond.

Sir,

Admiralty, October 7, 1858.

WITH reference to your letter of the 6th instant, relative to apprehended misunderstandings between the Governments of France and Portugal, and requesting that one or two of Her Majesty's ships should be held in readiness to proceed to the Tagus, two French ships being reported to have already arrived in that river, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Earl of Malmesbury, that two ships of war will be held in readiness for the above service.

I am, &c.
(Signed) H. CORRY.

No. 28.

The Earl of Malmesbury to the Lords Commissioners of the Admiralty.

My Lords,

Foreign Office, October 7, 1858.

HER Majesty's Government having received advice that the Emperor of the French has dispatched a squadron to the Tagus for the purpose of supporting certain claims which he has made on the Portuguese Government, I have to communicate to your Lordships the Queen's commands that a small force should be sent there, without delay, to watch the proceedings of this squadron, and for the protection of British subjects.

I am, &c.
(Signed) MALMESBURY.

No. 29.

The Secretary to the Admiralty to Mr. Fitzgerald.

Sir,

Admiralty, October 8, 1858.

WITH reference to Lord Malmesbury's letter of the 7th instant, signifying the Queen's commands that a small force should be sent to Lisbon without delay, to protect British subjects and to watch the movements of a French squadron, which has been sent to the Tagus for the purpose of supporting certain claims made on the Portuguese Government by the Emperor of the French, I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Earl of Malmesbury, that the "Victor Emanuel" and the "Racoon" were yesterday ordered to proceed to sea this day, in execution of this service.

I am, &c.
(Signed) H. CORRY.

No. 30.

Mr. Howard to the Earl of Malmesbury.

(Telegraphic.)

Lisbon, October 8, 1858.

I AM informed by the French Minister that the French men-of-war have not come here to employ force, but that he will ultimately be obliged to withdraw from this Court if the Portuguese Government do not yield.

No. 31.

Earl Cowley to the Earl of Malmesbury.

(Extract.)

Paris, October 8, 1858.

IN my despatch of the 3rd instant, I had the honour to inform your Lordship that I had suggested to Count Walewski the propriety of submitting the question of the "Charles et Georges" to arbitration. His Excellency wrote to me a few days afterwards stating, that the affair of the "Charles et Georges" did not appear to the Imperial Government to be one that could be settled by arbitration. I had hoped to have had some further conversation with his Excellency on this point before sending the present messenger, but he is in the country. He has now promised to receive me to-morrow.

In the mean time, I have received a telegram from Her Majesty's Minister at Lisbon, requesting me to express to the Portuguese Minister the desire of his Government that he should ask for mediation, under the Paris Protocol, if the French Government should not accept the Portuguese explanations. I lost no time in communicating its contents to the Marquis de Paiva, the Portuguese Representative at this Court, and I have since had an interview with him. Your Lordship will find among the inclosures to this despatch the written representations which he has made to Count Walewski. The *note verbale* was drawn up after an interview with the French Minister. To this latter communication Count Walewski has returned no answer.

It is M. de Paiva's intention to address a further note to Count Walewski to-day, offering to submit the question on which the two Governments take such opposite views to the mediation of a friendly Power.

I will inform your Lordship to-morrow, of the result of my interview with Count Walewski.

Inclosure 1 in No. 31.

The Marquis de Paiva to Count Walewski.

M. le Comte,

Paris, le 25 Septembre, 1858.

JE viens d'être informé, par mon Gouvernement, que M. le Ministre de France à Lisbonne lui a réclamé la remise immédiate du navire Français "Charles et Georges," saisi à Quintangonha, près de Moçambique, comme bâtiment négrier, et la mise en liberté du capitaine du dit navire. Permettez-moi d'exposer brièvement à votre Excellence, en attendant que je sois en mesure de mettre sous ses yeux toutes les pièces du débat, les faits qui peuvent éclairer à cet égard la haute équité du Gouvernement Français, et l'engager à revenir sur une exigence à laquelle le Gouvernement de Sa Majesté Très Fidèle ne pourrait d'ailleurs faire droit qu'en portant atteinte à l'inviolabilité du pouvoir judiciaire.

Lorsqu'il a été visité par les croiseurs Portugais, le navire en question était ancré depuis plusieurs jours près de l'Île de Quitangonha, c'est-à-dire, sur un point interdit, et ce fait seul suffisait pour légitimer la visite des dits croiseurs.

Interrogé sur les motifs qui lui avaient fait choisir cet ancrage insolite et illicite, le capitaine répondit, qu'il s'était approché de terre pour se pourvoir d'un chirurgien; que son intention était d'aller à la côte d'Ibo, mais que l'absence de vent, et une avarie subie par le navire, le retenaient sur ce point. De ces trois explications, la première et la troisième étaient au moins invraisemblables; car si le "Charles et Georges" avait voulu de procurer un chirurgien, ou réparer des avaries, il se serait naturellement rendu à Moçambique, port très rapproché, qui, pour l'une et l'autre hypothèse, lui aurait offert toutes les ressources désirables, de préférence à ce point, où tout manquait et où l'ancrage était même dangereux.

Quant à la seconde application elle était notoirement mensongère, attendu que le vent du sud régnait depuis trois jours. A l'illégalité du simple fait du stationnement en ces parages s'ajoutaient donc de graves indices que le capitaine avait à dissimuler le véritable motif de sa présence

en pareil lieu, et que si, sans raisons plausibles, il se tenait là, c'est qu'il avait intérêt à éluder la surveillance de l'autorité Portugaise, qui n'a pas d'agents à poste fixe à Quitangonha.

Quant à la nature des opérations que le Capitaine Rouxel pouvait chercher à soustraire au contrôle de l'autorité Portugaise, l'aménagement et les approvisionnements du "Charles et Georges," et la présence à bord de 110 noirs, ne laissaient guère de doute, et une enquête fut ordonnée. Par une exception, qui seule suffirait à mettre en évidence le bon vouloir de l'autorité Portugaise et son vif désir de ménager le commerce Français, il ne fut pas procédé à cette enquête dans la forme ordinaire.

Le Gouverneur de Moçambique délégua, *ad hoc*, non un juge isolé, mais une Commission choisie par les notabilités de la colonie.

Cette Commission, assistée d'un interprète juré, interrogea les noirs, lesquels furent unanimes à répondre qu'ils avaient été mis à bord du "Charles et Georges," non de leur plein gré et à titre d'engagés, mais bien contre leur volonté.

Le capitaine fut alors invité à produire les preuves, soit directes, soit indirectes du contraire, telles que les contrats d'engagement et les passe-ports des engagés, mais il ne put exhiber aucune pièce de ce genre ; ce qui justifiait l'assertion des noirs.

La justice dut suivre son cours, et le capitaine du "Charles et Georges" a tout le premier reconnu la juridiction des tribunaux Portugais, puisqu'il s'est de lui-même pourvu en appel auprès de la Relação ("Cour Royale") de Lisbonne.

Le procès est encore pendant, et il ne sera pas permis au Gouvernement du Roi d'empêcher qu'il suive son cours.

Le Gouvernement de l'Empereur respecte trop l'indépendance des nations, au dehors, pour ne pas adhérer à ce principe de droit commun ; et il m'aura suffi, j'en suis certain, M. le Comte, de replacer les faits sous leur véritable jour pour que votre Excellence veuille bien reconnaître que le Portugal ne s'est pas un seul instant départi dans cette affaire des devoirs que lui impose son étroite amitié avec la France.

Je saisis, &c.

(Translation.)

M. le Comte,

Paris, September 25, 1858.

I HAVE just been informed by my Government that the French Minister at Lisbon has claimed from them the immediate surrender of the French vessel "Charles et Georges," seized at Quitangonha, near Mozambique, as a slave-vessel, and the release of the captain of the said vessel. Permit me to lay briefly before your Excellency, until I shall have the means of placing before your eyes all the documents relating to the question, the facts which may enlighten in this respect the high equity of the French Government, and induce it to retract a demand with which the Government of His Most Faithful Majesty could not comply without attacking the inviolability of judicial power.

When she was visited by the Portuguese cruizers, the ship in question had been anchored for several days near the Island of Quitangonha, that is to say, at an interdicted spot, and this fact alone sufficed to legitimize the visit of the said cruizers. Upon being questioned upon the motives which had caused him to choose this unusual and illegitimate anchorage, the captain replied that he had approached the land in order to procure himself a surgeon ; that his intention had been to go to the coast of Ibo, but that absence of wind, and damages which the vessel suffered from, retained him at this spot.

Of these three explanations, the first and the third were at all events unlikely ; for if the "Charles et Georges" had wished to procure a surgeon, or to repair damages, she would naturally have returned to Mozambique, a port very easy to be reached, which, in both cases, would have offered her all the desirable resources, and preferable to this spot, where everything was wanting, and where anchorage was even dangerous.

As regards the second plea it was notoriously false, seeing that the south wind had set in three days. To the illegality of being stationed in

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those parts, are added the grave proofs that the captain had reason to cloke the real motive of his presence in such a place, and that if, without plausible reasons, he stayed there, it was that his interest was to elude the surveillance of the Portuguese authorities, who have no agents posted at Quitangonha.

As respects the nature of the operations which Captain Rouxel might have sought to conceal from the control of the Portuguese authority, the internal economy and the supplies of the "Charles et Georges," and the presence on board of 110 negroes, left scarcely a doubt, and an inquiry was commanded. By an exception, which alone would suffice to prove the good-will of the Portuguese authorities, and their lively desire to pay respect to the commerce of France, this inquiry was not proceeded with in the usual form.

The Governor of Mozambique delegated, *ad hoc*, not a solitary judge, but a Commission chosen by the principal persons of the colony.

This Commission, with the assistance of a sworn interpreter, examined the negroes, who unanimously replied that they had been placed on board not of their own free-will, or with the title of engaged men, but directly contrary to their will.

The captain was then invited to produce proofs, either direct or indirect, of the contrary, such as the contracts of engagement, or the passports of those engaged, but he could exhibit no document of the kind; which justified the assertion of the negroes.

Justice had to follow her course, and the captain of the "Charles et Georges" has been the very first who recognized the jurisdiction of the Portuguese tribunals, since he has appealed to the "Relação" (the Royal Court) of Lisbon.

The trial is still pending, and the Government of the King will not be allowed to impede its course.

Besides, the Government of the Emperor respects too much the independence of nations, not to adhere to this principle of common right; and it will be sufficient for me, I am certain, M. le Comte, to place the facts in their true light for your Excellency to acknowledge at once that Portugal has not departed a single instant in this affair from the duties which her strict friendship with France imposes on her.

I seize, &c.

(Signed) MARQUIS DE PAIVA.

Inclosure 2 in No. 31.

Procès-Verbal.

Paris, le 4 Octobre, 1858.

LE Ministre de Portugal demande la permission de rappeler et d'apprécier sommairement les points sur lesquels la France se fonde pour réclamer la restitution immédiate du "Charles et Georges," et la mise en liberté du capitaine de ce navire.

Aux yeux de la France, la présence à bord des navires de commerce d'un délégué de l'autorité Française suffit à les mettre à l'abri de tout soupçon d'opération illégale, et la France a droit, en pareil cas, de considérer la visite de croiseurs étrangers comme une injure à son pavillon.

Il n'entre certainement pas dans l'esprit du Gouvernement Portugais de méconnaître ce qu'une pareille susceptibilité a de légitime; mais il a la conviction que le principe invoqué ne saurait être en jeu dans le cas actuel. Lorsqu'il a été abordé par le croiseur Portugais, le "Charles et Georges" se trouvait ancré dans des parages interdits. C'est seulement après avoir constaté ce délit que le dit croiseur a appris qu'il y avait à bord un Délégué de l'autorité Française; mais en sortant de son rôle, qui était de garantir la légalité des opérations du "Charles et Georges," celui-ci perdait évidemment son caractère: par sa présence à bord d'un navire en contravention il s'associait à cette contravention, et l'aggravait de toute l'autorité de son mandat, bien loin de la couvrir. Il suffira à la France de peser dans sa loyauté ce simple fait pour comprendre qu'elle est placée ici dans l'alternative ou d'admettre que le délégué cessait, dès ce moment, de représenter l'autorité Française, ou de prétendre que les principes d'équité internationale doivent s'effacer devant sa supériorité de

Puissance de première ordre, et que partout où apparaît un de ses agents l'illégalité devient un droit. Tout le passé de la France, à défaut même des sentiments d'amitié et d'estime mutuelle qui unissent les deux pays, repousse cette dernière hypothèse.

Il y a ici une remarque essentielle à faire. Le Délégué Français a tout le premier reconnu que sa présence à bord du "Charles et Georges" ne pouvait nullement, en pareil cas, donner à ce navire le privilège d'inviolabilité. Il n'a pas plus fait d'opposition que le capitaine à l'exercice des droits du croiseur Portugais. Non seulement celui-ci n'a pas eu à recourir à la force, mais il a pu même s'abstenir des requisitions d'usage. Il lui a suffi de demander la permission de procéder à la visite du "Charles et Georges," pour que tout lui fut ouvert, et quand le procès-verbal de la visite est dressé, non seulement le délégué et le capitaine s'abstiennent de toute protestation directe, mais ils ne recourent même pas à la protestation implicite d'un refus de signature. L'un et l'autre signent la protestation sans hésitation et sans réserves. En face d'une menace aussi grave de celle de saisie, le capitaine et le délégué auraient-ils été de si bonne composition s'ils avaient entrevu la moindre possibilité, celui-ci d'invoquer son caractère officiel, celui-là de se retrancher derrière l'autorité d'un Agent officiel ?

La question de principes écartée restent les questions de fait.

La première est de savoir si, au moment de la visite du croiseur, le "Charles et Georges" stationnait dans les parages interdits ou non.

À l'appui de la négative, le capitaine exhibe son livre de loch ; mais, à l'appui de l'affirmative, le croiseur Portugais peut exhiber le sien. Entre ces deux assertions, le Gouvernement Portugais laisse à la France à décider si, en principe et en fait, la balance ne doit pas pencher du côté de l'affirmative ; en principe, parceque la déclaration d'un officier de la Marine Royale fait partout plus autorité que la déclaration essentiellement intéressée d'un capitaine marchand ; en fait, parcequ'un croiseur est censé connaître les parages confiés à sa surveillance beaucoup mieux que ne pourrait les connaître un navire de commerce qui s'y est arrêté accidentellement.

La seconde question de fait est de savoir si l'embarquement de nègres à bord du "Charles et Georges" avait eu lieu en vertu d'un permis de l'autorité Portugaise. Le seul permis dont on ait pu parler jusqu'à présent émanerait du Sheik de Matibane. Or, une pareille autorité ne saurait pas plus engager le Gouvernement Portugais que n'engagerait, par exemple, le Gouvernement Français un Sheik Arabe d'Algérie délivrant de son propre chef, en moyennant finance, un permis d'embarquement. Les quelques attributions de police intérieure accordées à des chefs de tribus soumises ne peuvent certainement s'étendre jusqu'à l'exercice d'un droit de souveraineté.

Reste la question de savoir si le Gouvernement de Moçambique a outrepassé ses pouvoirs en déferant le "Charles et Georges" aux tribunaux comme négrier. Ce fonctionnaire ne pouvait malheureusement pas agir autrement. Le "Charles et Georges" embarquait des noirs en destination des Colonies Françaises, où l'esclavage est aboli, c'est vrai ; mais sa présence sur un point interdit, le manque de contrats d'engagement, et les déclarations des nègres interrogés, toutes les circonstances rentrent dans la catégorie des faits prévus par les lois répressives de la Traite, et le Gouvernement, à qui n'appartient pas l'interprétation de la loi, n'a pu que remettre la question aux tribunaux, qui en sont encore saisis.

(Translation.)

Paris, October 4, 1858.

THE Portuguese Minister begs leave again to call attention to, and give a summary of, the points upon which France founds her claim to demand the immediate restitution of the "Charles et Georges," and the liberation of the captain of that vessel.

In the eyes of France, the presence of a French Government official on board merchant-vessels, is sufficient to shelter them from all suspicion of illegal operations, and in such cases France has the right to look upon the visit of foreign cruisers as an insult offered to her flag.

It certainly does not occur to the Portuguese Government to misunderstand the legitimacy of such susceptibility; but it is convinced that the principle in question has no sort of bearing upon the case. When the "Charles et Georges" was boarded by the Portuguese cruiser, it was anchored in a forbidden spot; it was only after this violation of the law had been proved, that the said cruiser learnt that there was a French Government official on board. But when this officer departed from his duty, which was to guarantee the legality of the operations of the "Charles et Georges," he evidently lost his character; by his presence on board a vessel which was transgressing the law, he became a party to that transgression, and so far from sheltering it, he aggravated it by all the authority of his commission. It will be enough for France to weigh this simple fact in her justice, in order to see that she is here placed in the alternative of admitting that the officer ceased from that moment to represent the French Government, or of pretending that the principles of international equity must be effaced by her superiority as a Power of the first class, and that an illegal act becomes a right wherever one of her agents appears. The whole past history of France, even without the sentiments of friendship and mutual esteem which unite the two countries, refutes this last hypothesis.

Here there is an important remark to be made. The French official was the first to allow that his presence on board the "Charles et Georges" could in no way, in such a case, render that vessel inviolable. Neither he nor the captain resisted the exercise of the rights of the Portuguese cruiser. Not only was it unnecessary for the cruiser to use force, but it was even able to dispense with the usual requisitions. It had but to ask leave to visit the "Charles et Georges," for everything to be thrown open, and on the drawing up of the memorandum of the visit, not only do the delegate and the captain abstain from all direct protestation, but they do not even resort to the implied protestation of refusing to sign it. They both sign the protest without hesitation, and without reserve. With such a grave threat as that of seizure before them, would the captain and the delegate have shown such good-will, if they had seen the slightest possibility, the one of invoking his official character, the other of sheltering himself behind the authority of an official agent.

Apart from the question of principle, there remain the questions of fact.

The first of these is to ascertain whether, at the time of the visit of the cruiser, the "Charles et Georges" was stationed in a forbidden spot or not.

In support of the negative the captain shows his log-book; but in support of the affirmative, the Portuguese cruiser can show hers. The Portuguese Government leaves to France to decide whether, in principle and in fact, between these two assertions, the scale must not incline towards the affirmative: in principle, because the declaration of an officer of the Royal navy has everywhere greater weight than the essentially-interested declaration of a merchant captain; in fact, because a cruiser is supposed to know the waters which are intrusted to its guardianship much better than a merchant-vessel could, which has stopped there accidentally.

The second question of fact is to ascertain whether the embarkation of negroes on board the "Charles et Georges" had taken place in virtue of a permission from the Portuguese authorities. The only permission of which mention has been made hitherto, seems to have emanated from the Sheik of Matibano. Now such an authority could be no more binding on the Portuguese Government than that, for example, of an Algerian Sheik giving a permission of embarkation, for a remuneration, on his own responsibility, would be binding on the French Government.

The few powers regarding internal police which are granted to the Chiefs of subject-tribes, can certainly not extend to the exercise of a right of sovereignty.

It now remains to be seen whether the Government of Mozambique exceeded its power, in bringing the "Charles et Georges" before the Courts of Justice as a slaver. This officer could, unfortunately, not act otherwise. The "Charles et Georges" was embarking negroes destined for

the French colonies, where slavery is abolished, it is true; but her presence on a forbidden spot, the absence of contracts of engagement, and the declarations of the negroes who were interrogated, all the circumstances come within the category of the facts provided against by the laws for the suppression of the Slave Trade, and the Government within whose province the interpretation of the law does not come, had no other alternative but to refer the question to the Courts of Law, which are still engaged upon it.

No. 32.

The Earl of Malmesbury to Earl Cowley.

(Extract.)

Foreign Office, October 9, 1858.

I TRANSMIT to your Excellency herewith, for your information, a copy of a letter which I have addressed to the Lords Commissioners of the Admiralty,* signifying to their Lordships the Queen's commands that a small naval force should be sent to the Tagus to watch the proceedings of the French squadron, and for the protection of British subjects.

No. 33.

The Earl of Malmesbury to Mr. Howard.

(Telegraphic.)

Foreign Office, October 9, 1858.

THE good offices of Her Majesty's Government will gladly be given to prevent a collision between France and Portugal, but they have no decisive information on the case of the ship. The Portuguese Government had better drop the prosecution if there were informalities during or after the seizure.

No. 34.

Earl Cowley to the Earl of Malmesbury.

(Extract.)

Paris, October 10, 1858.

COUNT WALEWSKI came to Paris yesterday, and I profited by a short interview which he gave me, to express the solicitude which Her Majesty's Government felt for the amicable settlement of the question of the "Charles et Georges." I had hardly touched upon the subject before his Excellency interrupted me, and stated that the resolution of the Imperial Government was taken to demand the restitution of the vessel without further delay. Instructions to this effect would be sent to the French Minister at Lisbon in a day or two. If they had not already been sent, it was because the French Government had been determined to act with the utmost circumspection, and not to move until they had every certainty of being in the right. The "Comité des Contentieux," to whom the case had been referred, had examined it with the utmost care, and had decided against the Portuguese Government every point that had been raised.

I said that I did not desire to enter into the merits of the case itself, but I wished the French Government to consider, before making a demand of the Portuguese Government, how far it was possible for the latter to comply with that demand. If I was rightly informed, the Portuguese Government could not, according to the law of Portugal, set free a ship that had been condemned by a tribunal, against which condemnation an appeal had been made to a higher Court. Then, with regard to the facts of the case, the Portuguese Government appeared to be as much convinced of being in the right, as the Imperial Government asserted them to be in the wrong. Surely, I observed, a case of this kind might be settled by the

* No. 28.

mediation of some friendly Power. I hinted at the disparity of force between the two nations, with a view of showing that it would be a generous proceeding on the part of France to have recourse to mediation.

Count Walewski replied that the Portuguese Minister had proposed this course, but the French Government could not consent to it. The Portuguese Government had committed an overt act of violence against the French flag, and could not cover itself by an appeal to mediation. "We should lose all prestige," continued his Excellency; "our flag would be exposed to every sort of insult were we to brook any longer delay. This is not a solitary case. We have two or three other affairs of a similar nature with the same Government. We are determined that our flag shall be respected. We regret that we should have to vindicate its honour with a nation of inferior power, but we cannot on that account forego our rights. The ship must be given up, and we shall then have to consider the question of indemnity."

His Excellency dwelt, as he had done before, on the connection with the Slave Trade imputed to the French Government by the condemnation as a slaver, of a vessel having a Government agent on board. The French Government never would, he said, put up with such an insult. They utterly repudiated the idea that their proceedings for obtaining free negro labour gave any encouragement to the Traffic in Slaves, and they were prepared to uphold this assertion against all who might dispute it.

I rejoined that I was anxious not to embitter a conversation, begun on my part with the most friendly feelings, by renewing the discussion of a matter of which Her Majesty's and the Imperial Government unfortunately took such opposite views. I thought that mediation might be employed, but on this point I could not obtain the slightest concession from his Excellency.

Finding this to be the case, I said that I regretted that my appeal had been made in vain, because his Excellency knew how much I had at heart the continuation of good feelings between our two countries.

Count Walewski rejoined that the French Government did not fear the most ample discussion; that the considerations drawn up by the "Comité des Contentieux" were so decisive in favour of France, both in respect to international law and equity, that they must carry conviction with them; and that he would take an early opportunity of giving them to me to peruse.

No. 35.

Earl Cowley to the Earl of Malmesbury.

(Extract.)

Paris, October 10, 1858.

COUNT LAVRADIO, who is in Paris, having expressed a desire to see me on the subject of the misunderstanding which has arisen between France and Portugal, I had a long conversation with him yesterday, before I went to Count Walewski. He appeared desirous of contributing, in any way he could, to the solution of this unfortunate dispute, provided he did not compromise the honour of his Government, and he did me the honour to ask my opinion upon the subject.

I told M. de Lavradio all that had passed between Count Walewski and myself up to that date, and I said that he must make allowances for the irritation of the French Government at finding a French ship condemned as a slaver, which was carrying out a scheme, however reprehensible in our opinion, for obtaining free negro labour, and had a Government delegate on board of her. I expressed doubts, which I sincerely entertain, whether it would not have been more in conformity with the usages of international comity, had the vessel, under the circumstances stated, been allowed to go free, and the questions connected with her appearing in Portuguese waters been treated diplomatically by a formal complaint made to the French Government by that of Portugal.

Count Lavradio entered into a long statement to show that the

proceedings of the Portuguese cruiser which seized the "Charles et Georges" had been perfectly regular; and he said that the vessel had been condemned before his Government were made aware of the circumstances connected with its capture; that neither the captain nor Delegate of the French Government had protested against the cruiser's action, though the former had appealed against the sentence which condemned the ship; and that, consequently, the Government had no power to interfere or to order the release of the vessel.

I observed that, according to Mr. Howard's opinion, there had been some informality in the first proceedings against the vessel; could not the Portuguese Government drop further proceedings on that account? Count Lavradio thought not, because it was the captain and not the Government who had appealed.

I said that I thought the question might be arranged by mediation without injury to the honour of either party.

I saw Count Lavradio again after an interview I subsequently had with Count Walewski, and apprised him of the temper in which I had found his Excellency. Count Lavradio himself saw Count Walewski subsequently, and he has informed me that, although their conversation was carried on very amicably, he could not shake the determination taken by the French Government to make a peremptory demand for the restoration of the ship.

Count Lavradio supposes, and I think with reason, that the treatment of the French Sisters of Charity at Lisbon has something to do with the extraordinary irritation shown by France.

No. 36.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, October 8, 1858.

IN a private conversation which I had with the French Minister on the 6th instant, he stated that he understood that it was in consequence of my advice that the Portuguese Government had refused to agree to the demands of his Government in the affair of the "Charles et Georges;" and he intimated his opinion that, in giving that advice, I had done the Portuguese a bad service.

I replied to the Marquis de Lisle, that he had been completely misinformed; that my opinion had neither been asked by the Portuguese Government, nor had I given it; that if I had been asked by them whether they should yield at once, I should have declined giving my opinion; but that I should certainly never have volunteered an opinion that they ought to incur the humiliation of yielding without the threat or the demonstration of the employment of force; and I added, that he well knew that the Portuguese were weak, and quite unable to resist France.

I observed, however, that I did not say that, if the Portuguese Government were to ask my opinion concerning a proposal of mediation to be made by them to France, in conformity with the principle recorded in the 23rd Protocol of the Conference of Paris of 1856, I should not express my approval of such a proposal.

The Marquis de Lisle observed to me on a former occasion, that it had been stated that there was a British man-of-war at Mozambique at the period when the "Charles et Georges" was apprehended, and that Her Majesty's Consul had availed himself of her presence to press upon the Portuguese authorities there the extreme measures which had been adopted against that vessel.

I told M. de Lisle at the time, and repeated to him again yesterday more fully, that, having the reports of Mr. McLeod, and of Captain Lyster, of Her Majesty's ship "Castor," in my possession, I was enabled to state that it was true that Mr. McLeod had announced to the Governor-General of Mozambique that he had received intelligence that a vessel (which afterwards turned out to be the "Charles et Georges") was at anchor in Conducia Bay, within a couple of miles of his own residence, and that

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there was reason to suspect she was shipping slaves; but that at this point Mr. McLeod's action appeared to have ceased, because he had stated, in a despatch to Her Majesty's Foreign Department (dated the 1st of January, 1858), that he would transmit the details of the affair as soon as he learnt them from the Governor-General.

I observed, with regard to Captain Lyster, of Her Majesty's ship "Castor," that, in explaining to the Governor-General of Mozambique, at an interview which he had with him on the 3rd of December, 1857, the anxiety of Admiral Sir Frederick Grey to co-operate with him in any measure for the suppression of the Slave Trade which the existing Treaties between Great Britain and foreign Powers would admit, he had distinctly stated that Sir Frederick had no power to interfere with French vessels procuring labourers for Bourbon.

I added, that it did not, however, appear that the Governor-General had made any request for Captain Lyster's assistance. Indeed, I yesterday read to the Marquis de Lisle that part of Captain Lyster's despatch of the 24th December, 1857, to Sir Frederick Grey (a copy of which was inclosed to me in the Earl of Clarendon's despatch of the 16th of February last), in which he reports his interview with the Governor-General.

The French Minister expressed himself, on both points, perfectly satisfied with my statements.

I dare say that he only pretended to have received information that I had advised the Portuguese Government not to yield, in order to ascertain the fact; but I, nevertheless, thought it best to speak openly to him.

No. 37.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, October 8, 1858.

THE two French men-of-war, whose arrival here on the 3rd instant I had the honour of reporting to your Lordship, are the line-of-battle ships "Donawerth," bearing the flag of Rear-Admiral Lavaud, and the "Austerlitz."

Previously to writing my despatch, I called upon the French Minister, the Marquis de Lisle, with the view to ascertain the motives of the sending of these ships to Lisbon, of whose intended arrival, however, as well as of that of others, in the affair of the French vessel the "Charles et Georges," condemned as a slaver at Mozambique, I had been told a couple of days before.

In the conversation which I had with the Marquis de Lisle on this occasion, although he observed jocosely that these ships had not arrived to bombard Lisbon, and stated (as the ostensible reason of their coming), that, being on their way from Toulon to Brest, they had entered this port for the purpose of coaling, yet he fully admitted that they had been sent here to support the demands of the French Government in the case of the "Charles et Georges," and said that he likewise expected others, and, amongst them, the "Redoutable," a line-of-battle ship, I believe, of the first class.

He added the information (also contained in my above-mentioned telegram) that he had received a telegraphic despatch of the 2nd instant from Count Walewski, informing him that the affair of the "Charles et Georges" was to be submitted to a new examination; by which he understood that it was to be brought before the French Council of State, and that ulterior instructions would be sent to him.

The Marquis said that he expected these instructions by the "Coligny" steamer of war, and that in the meantime neither he nor Rear-Admiral Lavaud had any instructions to act.

He remarked, as a proof that the ships had not come with hostile designs, that he was just going to call upon the Marquis de Loulé in order to introduce the Admiral to him, and to ask an audience of the King for the latter.

M. de Lisle, nevertheless, spoke very warmly on the subject of the

"Charles et Georges," stating the impossibility of the French Government admitting the right of the Portuguese Government to capture and condemn a vessel duly provided with papers which proved the commission she had received from the French Government, and having a delegate of that Government on board, or of their consenting to give up their demands for the immediate restitution of the vessel, and the liberation of the captain.

I took an opportunity, during this conversation, of expressing to the Marquis my hope that if the Portuguese Government were to propose to the French Government to submit the affair to the mediation of a friendly Power, in conformity with the principle recorded in Protocol 23 of the Conferences of Paris, of the 14th of April, 1856, the French Government would not reject that proposal; and I said that I thought they would be the less justified in declining it, as it was on the invitation of France, communicated by himself, as well as of England and other Powers, that Portugal had acceded to that principle.

The Marquis replied that he had no knowledge of the views of his Government on this point; but that I would recollect that the different Powers had reserved to themselves, in this matter, their independence and liberty of action; that Portugal had done so also; and that he was of opinion it would not do for France to admit the intervention of another Power in a question which affected the protection of French subjects from insult.

With regard to the mediation, I reminded the Marquis de Lisle that although in the affair of the indemnity claimed by us of the Neapolitan Government, for the British engineers of the "Cagliari," we considered that we should, if they persisted, after so protracted a negotiation, in refusing our demands, be justified in enforcing a compliance with them, yet we had, nevertheless, as a practical proof of our moderation, offered to refer the case to the mediation of a friendly Power; and I said I thought the French Government might well do the same in the case of the "Charles et Georges." The Marquis, however, repeated his opinion, that he did not think France could accept a mediation with regard to it.

On the morning of the 5th instant I saw the Marquis de Loulé, and learnt from him that he had written to Baron Paiva, the Portuguese Minister at Paris, by the French steamer to Nantes, of the 4th instant, directing him contingently to make to the French Government the proposal of a mediation in the affair of the "Charles et Georges."

I remarked to the Marquis de Loulé, as his despatch to Baron Paiva could not reach Paris before the 8th or 9th instant, and as time was valuable in this matter (for the decision of the French Government as to their ulterior course might be taken before that period), that, having decided to propose a mediation, if the French Government were not satisfied with the explanations given by the Portuguese Government, he would do well to send a telegram to the same effect, immediately, to Baron Paiva. The Marquis approved of this idea, and said he would act upon it. The Viscount de Sá, whom I afterwards saw, and who has recently been seriously ill, likewise expressed his approval of it, the more so, as he had been from the first of opinion that the Portuguese Government should, in offering their explanations, at once propose to submit the question to a mediation, if those explanations were not accepted as satisfactory. I may observe, that when the Marquis de Loulé showed me his note to M. de Lisle of the 18th of November, I remarked upon there being no mention in it of a mediation, which he had told me he thought of proposing; and that he replied, it had been deemed more advisable to reserve such a proposal for a later period of the negotiation.

On the following morning, the 6th instant, the Marquis de Loulé told me that he had directed the transmission of his telegraphic despatch to Baron Paiva, but that it had not been possible to forward it till the evening of the 5th instant; but later in the day he informed me that he found that it had not been able to be sent, because the Portuguese Foreign Office had no cypher in use with their mission at Paris, or even at London, and he asked me what I thought could be done.

I replied, that I would undertake to transmit to Lord Cowley, in

cypher, any message he wished delivered to Baron Paiva, and he, accordingly, wrote down the minute of a message, which I forwarded to his Lordship.

It is now necessary that I should mention the following circumstance, which occurred on the 5th instant, and which became a subject of remark in the newspapers and amongst the public:—

When the King of Portugal proceeded in his barge, with the Royal standard flying, to the steam-corvette “Bartholomeu Dias,” to take leave of his brother, the Duke of Oporto, who was proceeding in command of her to Madeira, the French men-of-war did not salute His Majesty on his passage, as is the custom of this port, nor did they do so when the Royal standard was afterwards hoisted on the corvette, although His Majesty was saluted by Portuguese men-of-war.

This omission was displeasing to His Majesty, who, in fixing the 7th instant for receiving the French Admiral, requested the Marquis de Loulé to obtain some explanation of it.

The Marquis de Loulé accordingly waited upon the French Minister, for the purpose of communicating with him on the subject of the Admiral's audience, but before he had time to refer to the question of the neglected salute the Marquis de Lisle expressed to him his great regret at the omission, saying that the Admiral was not on board at the time; that the officers who were left in charge of the ships had not perceived His Majesty on his passage; that afterwards they thought it was too late; that they had been deceived by the circumstance of a Portuguese brig-of-war near them (which is not, however, in commission), not having saluted, and that the Admiral would himself, at his audience of the King, make his excuses to His Majesty.

The Marquis de Loulé observed, that the King had noticed the omission, and had been somewhat displeased at it; but that he, the Marquis, had stated that he was sure it was a mistake, for that the demand of an audience on the part of the Admiral could not be reconciled with the offer of any slight on his part.

I afterwards met the Marquis de Lisle, who made the same observation to me, to which I replied, that I had also marked the omission, but that I had felt convinced that it was the result of a misunderstanding.

During the Marquis de Loulé's visit to the Marquis de Lisle, the latter took occasion to state, that the French ships of war had not come here to employ force in the affair of the “Charles et Georges,” nor to seize that vessel, but that they were on their way from Toulon to Brest, and entered this port to take in coal, and then said to the Marquis de Loulé that he would tell him at once the end of the affair (“dénouement de l'affaire”), which would be, that if the Portuguese Government did not yield to the demands of the French Government, he (the Marquis de Lisle) would have to leave Lisbon.

The French Minister afterwards pressed the Marquis de Loulé to acquiesce in those demands, but begged him not to talk to him of mediation, and at all events, if he intended offering one, not to make the proposal through him, but through the Portuguese Minister at Paris.

The Marquis de Lisle held to me, a few hours later, precisely the same language in respect to the French ships of war not having come with hostile intentions, and to his withdrawal, in case of Portugal not yielding.

The Marquis de Loulé, in relating to one of my colleagues what M. de Lisle had said to him on the subject, stated it to be that, “without prejudging the future, the French ships would leave the Tagus, as they had entered it—as good friends.”

I observed on the occasion to which I allude that the French Minister's language was much more moderate than it was a few days ago, and several of my colleagues have made the same remark. Of course, the circumstance that the French men-of-war may now leave the Tagus as friends does not imply that they may not return to it in a different character at another period, should a rupture of diplomatic relations take place between France and Portugal.

I may add, that the conduct pursued by the French Government in sending a squadron here to intimidate the Portuguese Government, before

even the answer of the latter had been taken into consideration, is very generally blamed by the foreign diplomatists here, and more particularly by the Representatives of the weaker Powers.

The captain of the "Charles et Georges" continues at liberty, that is to say, he is permitted to come on shore from his ship, notwithstanding that the French Minister, who had pledged his word for him until the 1st of October, when the Court of Relação was to meet, withdrew it at that date.

The Marquis de Loulé told me that he had reason to believe that the captain's liberty would not be interfered with, pending the decision of his appeal to that Court. His Excellency said he was likewise endeavouring to hasten the legal proceedings in the affair.

No. 38.

Mr. Howard to the Earl of Malmesbury.

(Telegraphic.)

Lisbon, October 14, 1858.

IT appears that the French Delegate, on board the "Charles et Georges," deposed at Mozambique, and said he would report the fact to the Governor of Bourbon, that the conditions prescribed by the French Government had not been observed in respect to the negroes bought by the captain on Portuguese territory.

No. 39.

Earl Cowley to the Earl of Malmesbury.

(Extract.)

Paris, October 13, 1858.

I HAVE the satisfaction of informing your Lordship that there is every probability of the affair of the "Charles et Georges" receiving an amicable solution. The Marquis de Paiva and M. de Lavradio, seeing that the French Government were determined on pushing matters to extremities, sounded Count Walewski as to the likelihood of the following proposal being accepted by the Imperial Government:—The "Charles et Georges" to be given up, and the captain to be released; the French men-of-war having previously quitted the waters of Lisbon. The legality of the seizure to be afterwards determined by mediation.

Count Walewski replied that he thought he saw in this proposal the germs of an arrangement. The Council was held this morning at St. Cloud, and I saw Count Walewski on his return. I questioned him in general terms as to the state of the affair. He told me that he had seen M. de Lavradio, who had said that the affair might be arranged by the surrender of the ship, if the French men-of-war were previously withdrawn. The French Government, Count Walewski added, had no wish to appear to impose terms upon Portugal. The honour of France would be satisfied by the release of the ship and her captain. A messenger, therefore, would be sent to-night to Lisbon, giving full powers to M. de Lisle to enter into any arrangement for the future settlement of this affair, provided the ship was set at liberty at once. It is only in case of the impossibility of arriving at any understanding that he is allowed to address an ultimatum to the Portuguese Government.

Although Count Walewski did not enter into any particulars, being pressed for time, I augur from his general tone that, provided the "Charles et Georges" is released, the legality of her capture, as well as the other questions arising out of it, may be subject of future mediation.

No. 40.

Earl Cowley to the Earl of Malmesbury.

My Lord,

Paris, October 14, 1858.

WITH reference to my despatch of yesterday's date, I have the honour to add that the Portuguese Minister has set out for Lisbon, for the purpose of explaining to his Government the arrangement made with the Imperial Government in the matter of the "Charles et Georges," and ensuring their acceptance of it.

I have, &c.
(Signed) COWLEY.

No. 41.

The Earl of Malmesbury to Mr. Howard.

Sir,

Foreign Office, October 15, 1858.

HER Majesty's Government have read with much concern your despatches referring to the dispute between France and Portugal, and cannot but regret that the French Government, without first attempting to obtain their object by diplomatic means, have at once sent an imposing force to menace the port of Lisbon.

As far as they are at present informed, it appears to Her Majesty's Government that, on the one hand, the French captain and delegate on board the "Charles et Georges" violated the municipal laws of Portugal by anchoring at a forbidden point within Portuguese waters, and being there found with a cargo of negroes, who had all the appearance of being slaves, and a portion of whom stated themselves to have been abducted from a dependency of Portugal; on the other hand, that the French captain and delegate had obtained from the Sheik of Matabane a permission to engage and export labourers of his tribe; and that in a document (which is published in the "Daily News" of the 12th instant) the contract declares itself "to have been made and passed at the Court of the said Sheik." The document runs thus:

"It is agreed and understood that you hire yourself for five years to go to the Isle of Bourbon, in the ship _____, Captain _____. You are hired at the rate of two piastres per month during the whole period of your engagement.

"As soon as the engagement shall be terminated, you will be free, either to remain in Bourbon, or to return to your country. The present contract is made and passed at the Court of the Sheik of the Matabane tribe, in the presence of the Sheik Ali, of the Agents Ali Mouro, Sidi Sidi, the interpreter of the ship, and the captain, and signed by witnesses in the presence of the above-hired labourers, after having been read by the interpreter."

You are aware that Her Majesty's Government have never altered their opinion as to the analogous nature of the French scheme for exporting negroes with that of avowed Slave Trade. It is not, however, with a view to support that opinion, fortified by the present case, that I address you, but in the hope that a suggestion may be accepted which may solve this question of national honour.

If the above statement is correct, it appears to Her Majesty's Government that Portugal, without any sacrifice of her dignity and rights, may admit that the French delegate and captain, when negotiating for labourers with the Sheik of Matabane, believed him to be an independent Chief, and were ignorant of his being a dependent subject of the Portuguese Government; for their contract speaks of him as of an independent Ruler, having a Court of his own. Should the Portuguese Government see the transaction in this light, it appears to Her Majesty's Government to be consistent with a wise indulgence to drop the prosecution of a case which originated in an error, and which might, if imprudently urged against France, be the cause of the gravest complications.

Such a course on the part of the Portuguese Government would be accompanied by a note distinctly recapitulating the details of the Municipal Law of Portugal on the Mozambique coast, and to what extent the Portuguese dependencies are claimed to extend.

You will take the earliest opportunity of expressing to the Portuguese Government the view which Her Majesty's Government take of this case, and urge upon them the policy and wisdom of accepting the advice which I have the honour to tender through Her Majesty's Minister at the Court of Lisbon.

I am, &c.
(Signed) MALMESBURY.

No. 42.

The Earl of Malmesbury to Earl Cowley.

My Lord,

Foreign Office, October 15, 1858.

HER Majesty's Government have read, with much concern, your Excellency's despatches referring to the dispute between France and Portugal, and cannot but regret that the French Government, without first attempting to obtain their object by diplomatic means, have, at once, sent an imposing force to menace the port of Lisbon.

As far as they are at present informed, it appears to Her Majesty's Government that, on the one hand, the French captain and delegate, on board the "Charles et Georges," violated the municipal law of Portugal by anchoring at a forbidden point within Portuguese waters, and being there found with a cargo of negroes, who had all the appearance of being slaves, and a portion of whom stated themselves to have been abducted from a dependency of Portugal; on the other hand, that the French captain and delegate had obtained from the Sheik of Matabane a permission to engage and export labourers of his tribe, and that in a document (which is published in the "Daily News" of the 12th instant) the contract declares itself "to have been made and passed at the Court of the said Sheik." The document runs thus:

"It is agreed and understood that you hire yourself for five years to go to the Isle of Bourbon, in the ship _____, Captain _____. You are hired at the rate of two piastres per month during the whole period of your engagement.

"As soon as the engagement shall be terminated, you will be free, either to remain in Bourbon, or to return to your country. The present contract is made and passed at the Court of the Sheik of the Matabane tribe, in the presence of the Sheik Ali, of the Agents Ali Mouro, Sidi Sidi, the interpreter of the ship, and the captain, and signed by witnesses in the presence of the above-hired labourers, after having been read by the interpreter."

Your Excellency is aware that Her Majesty's Government have never altered their opinion as to the analogous nature of the French scheme for exporting negroes with that of avowed Slave Trade. It is not, however, with a view to support that opinion, fortified by the present case, that I address your Excellency, but in the hope that a suggestion may be accepted which may solve this question of national honour.

If the above statement is correct, it appears to Her Majesty's Government that Portugal, without any sacrifice of her dignity and rights, may admit that the French delegate and captain, when negotiating for labourers with the Sheik of Matabane, believed him to be an independent Chief, and were ignorant of his being a dependent subject of the Portuguese Government, for their contract speaks of him as of an independent Ruler having a Court of his own. Should the Portuguese Government see the transaction in this light, it appears to Her Majesty's Government to be consistent with a wise indulgence to drop the prosecution of a case which originated in an error, and which might, if imprudently urged against France, be the cause of the gravest complications.

Such a course on the part of the Portuguese Government would be accompanied by a note distinctly recapitulating the details of the Municipal Law of Portugal on the Mozambique coast, and to what extent the Portuguese dependencies are claimed to extend.

Your Excellency will take the earliest opportunity of expressing to the French Government and the Portuguese Minister at Paris the view which Her Majesty's Government take of this case, and urge upon them the policy and wisdom of accepting the advice which I have had the honour to tender through Her Majesty's Minister at the Court of Lisbon.

I have, &c.

(Signed) MALMESBURY.

No. 43.

The Earl of Malmesbury to Mr. Howard.

Sir,

Foreign Office, October 16, 1858.

I TRANSMIT to you herewith, for your information, copies of despatches, as noted in the margin,* from Her Majesty's Ambassador at Paris, relating to the case of the "Charles et Georges."

I am, &c.

(Signed) MALMESBURY.

No. 44.

Earl Cowley to the Earl of Malmesbury.

My Lord,

Paris, October 17, 1858.

I MENTIONED yesterday to Count Walewski that the French agent on board the "Charles et Georges" had deposed at Mozambique, that the conditions prescribed by the French Government had not been observed in respect of the negroes bought by the captain on Portuguese territory, and his Excellency admitted the truth of this statement, though he would not allow that it touched the principle involved in this case, namely, that the ship could not be condemned as a slaver.

What had happened, his Excellency said, was this: The captain of the "Charles et Georges" had received orders from the Governor of Réunion to procure negroes under the emigration system; but he was expressly forbidden by his instructions to take any from Mozambique, the Portuguese Government having prohibited all emigration from thence. The captain, however, received information that this prohibition did not extend to the district of Matabane, the Sheik of which had authority from the Portuguese Government to furnish negroes for emigration. He went there accordingly, and the Sheik furnished a certain number.

Count Walewski has never attempted, in his conversations with me on this matter, to call in doubt the sovereignty of Portugal over the district of Matabane. I am afraid, therefore, that the mode of settling this misunderstanding between the French and Portuguese Governments, suggested by your Lordship, will not apply to the case. But I feel confident that if M. de Lisle will act up to the conciliatory instructions which were transmitted to him on the 12th instant, means will be found at Lisbon of settling the dispute.

Count Walewski repeated to me yesterday, that if the ship and captain were released, the mediation of a friendly Power might be employed for the adjustment of questions arising out of the seizure; and he assented to an observation which I made, that the fact of the captain having acted against the letter of his instructions, might then be urged. I should remark further, that in the first conversations which I had with Count Walewski on this matter, his Excellency asserted that the French Government had not been aware that emigration was prohibited from Mozam-

* Nos. 34, 35, 39, and 40.

bique, until after this occurrence; emigration having been formerly permitted, and the Portuguese Government having only changed their policy in regard to it in sending out lately a new Governor to Mozambique, who had not given notice of the change; whereas his Excellency now admits that the change (if change it was) was known to the Governor of Réunion.

I have, &c.
(Signed) COWLEY.

No. 45.

Earl Cowley to the Earl of Malmesbury.

(Extract.)

Paris, October 22, 1858.

MY previous correspondence with your Lordship on the subject of the "Charles et Georges" will have apprized you that before the receipt of your despatch of the 15th instant, suggesting an honourable mode of settling the difference which has arisen in this matter between the French and Portuguese Governments, a basis of arrangement had been confidentially laid between Count Walewski and M. de Paiva, the Portuguese Minister at this Court, and that the latter had gone to Lisbon to obtain the consent of his Government to its execution. Your Lordship will have been informed by my despatch of the 17th instant, that, as far as I am aware, the sovereignty of Portugal over the district of Matabane has never been called in question by the Government of France. The instructions, therefore, contained in your Lordship's above-mentioned despatch remain in abeyance, but I shall not fail to resort to them should the direct negotiation now pending between the Imperial and Portuguese Governments end in disappointment. It is, no doubt, greatly to be regretted that the French Government should have ordered some ships of war to proceed to Lisbon, because the presence of an armed force menacing the capital of Portugal must increase the difficulties of the Portuguese Government in making any concessions to France. I cannot, on the other hand, exonerate that Government from all blame, because I cannot divest myself of the opinion that the comity usually observed among friendly Powers should have induced the Portuguese Government to set free a ship, which it could not be doubted was acting under the orders of the French Government, although that ship had been seized while violating the laws of Portugal; the Portuguese Government reserving to itself the right of obtaining satisfaction through its Representative at Paris. Under these circumstances I have anticipated your Lordship's instructions in avoiding with Count Walewski the renewal of a discussion of the principle invoked in this question, and have only endeavoured to soothe that irritation against the Portuguese Government which, on account of this and other matters, was fast fanning into a flame. I do not, I think, err in stating that the French Government are now sincerely desirous of terminating this regrettable business in a manner which shall not wound the honour of either France or Portugal.

No. 46.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, October 17, 1858.

I HAVE the honour of transmitting herewith to your Lordship translations of the following documents relative to the affair of the "Charles et Georges," which have been communicated to me by the Marquis de Loulé:—

A despatch of the Minister of Marine to the Marquis de Loulé of the 13th of October, and its inclosures, being, the one, a declaration made by the late Governor-General of Mozambique, Senhor Vasco Guedes de

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Carvalho e Menezes, denying that he had given any authorisation to the Sheik of Matabane to supply negroes to the French vessels; the other, the conditions, as published in the official Boletim of Mozambique of the 12th of September, 1857, imposed upon that Sheik on his making his submission, one of which was that he should not trade elsewhere than at Mozambique; and, the deposition of the French delegate on board the "Charles et Georges," M. Carrel, made on the occasion of the trial at Mozambique, from which your Lordship will perceive that he stated that he had no authorisation from the Portuguese Government to engage colonists, that the conditions prescribed by the French Government had been fulfilled with regard to the colonists engaged at Comoro (who, I may observe, formed a part of the cargo of the "Charles et Georges"), but not so in respect to those bought by the captain on the coast of Quitangonha, a fact which he would bring to the knowledge of his Government as soon as he should arrive at the Island of Réunion, in the Report which he was bound to make.

I considered this deposition so important that I recommended the Marquis de Loulé to communicate it both to the French Minister here, the Marquis de Lisle, and to Viscount Paiva, the Portuguese Minister at Paris, to whom I also suggested that he should transmit its substance by telegraph. This his Excellency did on the 13th instant. My reason for attaching special importance to the communication of this document to the French Government was, because I thought that if their own agent admitted there had been informalities in the purchase of the negroes, they might be better disposed to come to an amicable arrangement with the Portuguese Government.

It was also on account of the view I thus took, that I likewise forwarded the substance of the deposition to your Lordship on the 14th instant.

The Marquis de Loulé was not, however, satisfied with communicating the document in question to the Marquis de Lisle, but he likewise transmitted to him the above-mentioned despatch of the Minister of Marine and its inclosures, although I had previously remarked to him that I considered the denegation of the late Governor-General of Mozambique of his having given authorisation to the Sheik of Matabane to supply the French with negroes, as entirely without value or credit, seeing that he had been recalled for having done the very thing which he now denied.

The consequence was, that the Marquis de Lisle, in the note of the 14th instant, in which he acknowledged the receipt of this communication, and stated that he would transmit the deposition of the Delegate Carrel to his Government, took occasion to inquire whether the Senhor Vasco Guedes de Carvalho e Menezes, who made the declaration in question, was the same individual who had been recalled for permitting the exportation of negroes from the Province of Mozambique.

I have further the honour of inclosing a translation of a despatch of the 4th instant, from Viscount Paiva to the Marquis de Loulé, reporting a conversation with Count Walewski on the case of the "Charles et Georges," as well as a copy of a memorandum addressed by him on the same date to the French Minister for Foreign Affairs, on the subject of the French demands in the matter of that case.

Inclosure 1 in No. 46.

Viscount Sá da Bandeira to the Marquis de Loulé.

(Translation.)

Illustrious and Excellent Sir,

*Marine and Colonial Department,
October 11, 1858.*

I HAVE the honour to place in your Excellency's hands the inclosed authentic copies of the despatch of the 6th instant, in which the Governor-General of Mozambique, Vasco Guedes de Carvalho e Menezes, in compliance with the orders which he received from this Department, to state whether he had or had not authorized the Sheik of Matabane to supply

negroes to the French vessels, denies having given such authorisation; and of the conditions to which the said Sheik bound himself, for a cessation of hostilities caused by his rebellion, one of these conditions, as published in the "Official Boletim" of the Province, No. 37 of the 12th of September of last year, being not to trade elsewhere but with Mozambique.

I beg of your Excellency to be pleased to cause these documents to be brought to the knowledge of the Government of His Majesty the Emperor of the French.

(Signed) SA DA BANDEIRA.

Inclosure 2 in No. 46.

The ex-Governor-General of Mozambique to the Commander of the First Division.
(Translation.)

Most Excellent Sir,

Lisbon, October 6, 1858.

I HAVE the honour to acknowledge the receipt of your Excellency's despatch of the 27th September, inclosing a copy of one from the Marine Department, instructing me to state whether I gave my authorisation to the Sheik of the tribe of Matibane, at Quitangonha, to supply French vessels with negroes; and in reply to your Excellency I have to state, that I never gave any such authorisation to the said Sheik, or to any other, to furnish, under any pretext whatsoever, negroes to any vessel; that, on the contrary, I made use of every means in my power for putting a stop to the traffic carried on at the port of Conducia with the connivance of the said Sheik, in spite of the orders and of repeated remonstrances of the Colonial Government; and in consequence of his disobedience I was forced to blockade that port, and to take a vessel that was leaving full of negroes; and I was further obliged, owing to his rebellion, to land a force there, which I only withdrew, upon the signing, by the Sheik and his officers, of a promise of full obedience to the orders of the Governor of the Province, containing a special Article, closing the port of Conducia to any trade excepting that carried on with the capital of the Province.

These conditions were published in the Official Boletim of the Colonial Government.

(Signed) VASCO GUEDES DE CARVALHO E MENEZES,
Major and ex-Governor-General of Mozambique.

Inclosure 3 in No. 46.

Conditions imposed upon the Sheik of Quitangonha on the 12th of September, 1857.

CONDITIONS to which Alli Erri, Sheik of Quitangonha, binds himself, and in virtue of which hostilities with that district ceased, and he was replaced in his post, being signed by him and by the principal men of that territory:—

1. To obey fully the orders of the Governor-General of Mozambique.
2. Not to carry on the slightest hostility against the lands, the property, and the persons subject to that Colonial Government.
3. Not to carry on hostilities with any neighbouring Sheik or Chief without the consent of said Government.
4. Only to trade with Mozambique.
5. Not to impose penalties upon the inhabitants of Quitangonha without first consulting the Captain-General of the mainland.
6. To cause to be delivered to the said Captain-General such slaves as may escape to Quitangonha.
7. To deliver up immediately the articles taken from the Captain-General, Abdule Raname, and place at liberty at once any persons of his family who may be detained.
8. To deliver up immediately to the inhabitants of Mozambique and of the continent the slaves detained at Quitangonha.
9. To make compensation to the proprietors who may have been

injured by the people of Quitangonha within lately, as soon as they prove their losses through the Courts of Justice.

Mozambique, September 12, 1857.

(Signed)

JOSE ANTONIO PEREIRA,
Lieutenant-Colonel and Captain-General.

Inclosure 4 in No. 46.

Answers given by the Delegate Carrel on the Inquiry, to the Questions put to him.
(Translation.)

HE replied that he had been told that he was arrested in consequence of anchoring of a vessel on the coast, and the carrying on of trade against the Portuguese orders; that he was aware that the French Government prohibited the Traffic of Slaves, as well as the Portuguese Government; at the same time the negroes found on board were free men; that he had no authorisation from the Portuguese Government to engage colonists. That the conditions pointed out by the French Government had been fulfilled with regard to the colonists engaged at Comoro, but not so with those bought by the captain on the coast of Quitangonha, a fact which he would bring to the knowledge of his Government as soon as he should arrive at the Island of Réunion, in the report which he was bound to draw up.

Inclosure 5 in No. 46.

The Viscount de Paiva to the Marquis de Loulé.

(Translation.)

(Extract.)

Paris, October 4, 1858.

I HAD the honour to receive, by the steamer that left Lisbon for Nantes on the 24th ultimo, your Excellency's despatch inclosing your Excellency's reply to the French Minister at that Court relative to the claim for the barque "Charles et Georges." In comparing that reply with the note which I here addressed to the Minister for Foreign Affairs upon the same subject, and which I brought to your Excellency's knowledge in my despatch of the 25th, to the Under-Secretary of that Department, I think that there was conformity between the arguments brought forward by your Excellency and those which I employed.

I, however, sought an interview with Count Walewski, which took place the day before yesterday, 2nd of October. I found the Emperor's Minister very much out of temper. He told me that, viewing the case in question, in its generality, France would not admit, as a principle, nor would England, the right of visiting a French vessel, on board of which was a Delegate of the Imperial Government in charge of watching and aiding the captain in the operation of engaging free labourers. That the presence of that Delegate afforded a sufficient guarantee that there was no question of slave-trading, and ought to have been enough to prevent the Portuguese cruizer from visiting her. That all the other incidents relative to this lamentable affair were merely secondary; but that, nevertheless, the French Government would enter into the discussion of them, in order to ascertain how far they might be entitled to claim compensation for the owners of the "Charles et Georges." The Count Walewski maintained that the visit was made outside of the waters of Portugal, and to prove this he showed me a map made according to the entries in the ship's books, which are admitted as evidence in maritime law. On this map was marked the distance at which the "Charles et Georges" was from the land, and the course taken by the cruizer in going to visit her.

Count Walewski said that a Portuguese authority had received dues for the granting of the pass or license for the shipping of slaves. That authority was the Sheik of Matabane, who held, according to the information received from the Marquis de Lisle, the rank of Lieutenant-Colonel. He further said that to the insult of the visit was added that of the capture, which was aggravated by the conduct of the Governor-General of Mozambique, who delivered up the vessel to the judicial power as implicated in an offence of which the presence of the French Delegate

ought to have removed all suspicion. That in such a case the amicable intercourse existing between allied and friendly Powers should have counselled the Governor-General of Mozambique to repair, instead of aggravating, those insults.

Such were the principal arguments of the Count Walewski, and his Excellency concluded by stating to me, in very precise terms, that the Imperial Government were so fully convinced of the justice of their cause that they would not desist from their claim, and that the Portuguese Government would do better to restore spontaneously the said vessel, than to oblige France to employ violent means for recovering her.

In order to abridge this despatch, and to avoid repetitions, allow me to refer your Excellency to the inclosed copy of a memorandum which I this day addressed to Count Walewski, in which I have more fully developed the reasons which I opposed to his arguments. I must not, however, conceal from your Excellency that I entertain no hopes of bringing the French Government to better terms.

France wishes to establish as a principle in her maritime law, that when once a French vessel has on board an official delegate to watch over and superintend the operations of such vessel, she will be placed beyond foreign jurisdiction; and no appeal can be had against any infractions committed by the said vessel, excepting to the Imperial Government itself.

Allow me to direct the most serious attention of His Majesty's Government to the pending question of the "Charles et Georges." I would beg your Excellency to observe that both the cruiser and the Governor-General of Mozambique treated that vessel *à priori* as a slaver, notwithstanding that the French Government had on board of her a delegate for the express purpose of guaranteeing that she would not be engaged in the Slave Trade; and as His Majesty's Government has granted to France, by the Convention of Madrid of the 30th of January, 1786, the power of engaging free labourers on a part of our African coast, your Excellency will perceive the necessity of regulating the exercise of that power, in order to avoid fresh difficulties, which almost always are prejudicial to the weakest party.

(Signed) VISCT. DE PAIVA.

Inclosure 6 in No. 46.

Memorandum.

Paris, le 4 Octobre, 1858.

LE MINISTRE de Portugal demande la permission de rappeler et d'apprécier sommairement les points sur lesquels la France se fonde pour réclamer la restitution immédiate du "Charles et Georges," et la mise en liberté du capitaine de ce navire.

Aux yeux de la France, la présence à bord des navires de commerce d'un Délégué de l'autorité Française suffit à les mettre à l'abri de tout soupçon d'opération illégale, et la France a droit, en pareil cas, de considérer la visite des croiseurs étrangers comme une injure à son pavillon. Il n'entre certainement pas dans l'esprit du Gouvernement Portugais de méconnaître ce qu'une pareille susceptibilité a de légitime : mais il a la conviction que le principe invoqué ne saurait être aujourd'hui le cas actuel. Lorsqu'il a été abordé par le croiseur Portugais, le "Charles et Georges" se trouvait ancré dans des parages interdits. C'est seulement après avoir constaté ce délit que le dit croiseur a appris qu'il y avait à bord un Délégué de l'autorité Française ; mais en sortant de son rôle, qui était de garantir la légalité des opérations du "Charles et Georges," celui-ci perdait évidemment son caractère ; par sa présence à bord d'un navire en contravention, il s'associait à cette contravention, et l'aggravait de toute l'autorité de son mandat, bien loin de la couvrir. Il suffira à la France de peser dans sa loyauté ce simple fait pour comprendre qu'elle est placée ici dans l'alternative ou d'admettre que le Délégué cessait, dès ce moment, de représenter l'autorité Française, ou de prétendre que les principes d'équité internationale doivent s'effacer devant sa supériorité de puissance de première ordre, et que partout où apparaît un de ses agents, l'illégalité

devient un droit. Tout le passé de la France, à défaut même des sentiments d'amitié et d'estime mutuelles qui unissent les deux pays, repousse cette dernière hypothèse.

Il y a ici une remarque essentielle à faire. Le Délégué Français a tout le premier reconnu que sa présence à bord du "Charles et Georges" ne pouvait nullement, en pareil cas, donner à ce navire le privilège d'inviolabilité. Il n'a pas plus fait d'opposition que le capitaine à l'exercice des droits du croiseur Portugais. Non seulement celui-ci n'a pas eu à recourir à la force, mais il a pu même s'abstenir des réquisitions d'usage. Il lui a suffi de demander la permission de procéder à la visite du "Charles et Georges," pour que tout lui fût ouvert, et quand le procès-verbal est dressé, non seulement le Délégué et le capitaine s'abstiennent de toute protestation directe, mais ils ne recourent même pas à la protestation implicite d'un refus de signature. L'un et l'autre signent le procès-verbal sans hésitation et sans réserves. En face d'une menace aussi grave que celle de saisie, le capitaine et le Délégué auraient-ils été de si bonne composition, s'ils avaient entrevu la moindre possibilité, celui-ci d'invoquer son caractère officiel, celui-là de se retrancher derrière l'autorité d'un Agent officiel ?

La question de principe écartée restent les questions de fait.

La première est de savoir, si au moment de la visite du croiseur, le "Charles et Georges" stationnait dans de parages interdits ou non. A l'appui de la négative, le capitaine exhibe son livre de loch, mais, à l'appui de l'affirmative, le croiseur Portugais peut exhiber le sien.

Entre ces deux assertions, le Gouvernement Portugais laisse à la France à décider elle-même, dans son équité, si, en principe et en fait, la balance ne doit pas pencher du côté de l'affirmative : en principe, parce que la déclaration d'un officier de la Marine Royale fait partout plus autorité que la déclaration essentiellement intéressée d'un capitaine marchand ; en fait, parce qu'un croiseur est censé connaître les parages confiés à sa surveillance beaucoup mieux que ne pourrait les connaître un navire de commerce qui s'y est arrêté accidentellement.

La seconde question de fait est de savoir si l'embarquement de nègres à bord du "Charles et Georges" avait eu lieu en vertu d'un permis de l'autorité Portugaise. Le seul permis dont on ait pu parler jusqu'à présent émanerait du Sheik de Matabane. Or, une pareille autorité ne saurait pas plus engager le Gouvernement Portugais que n'engagerait, par exemple, le Gouvernement Français un Sheik Arabe d'Algérie délivrant de son propre Chef, et moyennant finance, un permis d'embarquement. Les quelques attributions de police intérieure accordées à des chefs de tribus soumises ne peuvent certainement s'étendre jusqu'à l'exercice d'un droit de souveraineté.

Reste la question de savoir si le Gouverneur de Moçambique a outre-passé ses pouvoirs en déferant le "Charles et Georges" aux tribunaux comme négrier. Ce fonctionnaire ne pouvait malheureusement pas agir autrement. Le "Charles et Georges" embarquait des noirs en destination des Colonies Françaises où l'esclavage est abolie, c'est vrai ; mais sa présence sur un point interdit, le manque de contrats d'engagement, et les déclarations des nègres interrogés, toutes ces circonstances rentrent dans la catégorie des faits prévus par les lois repressives de la Traite, et le Gouverneur, à qui n'appartient pas l'interprétation de la loi, n'a pu que remettre la question aux tribunaux, qui en sont encore saisis.

(Translation.)

Paris, October 4, 1858.

THE Portuguese Minister begs leave again to call attention to, and give a summary of, the points upon which France founds her claim to demand the immediate restitution of the "Charles et Georges," and the liberation of the captain of that vessel.

In the eyes of France, the presence of a French Government official on board merchant-vessels is sufficient to shelter them from all suspicion of illegal operations, and in such cases France has the right to look upon the visit of foreign cruizers as an insult offered to her flag.

It certainly does not occur to the Portuguese Government to misun-

derstand the legitimacy of such susceptibility; but it is convinced that the principle in question has no sort of bearing upon the case. When the "Charles et Georges" was boarded by the Portuguese cruiser, it was anchored in a forbidden spot; it was only after this violation of the law had been proved, that the said cruiser learnt that there was a French Government official on board. But when this officer departed from his duty, which was to guarantee the legality of the operations of the "Charles et Georges," he evidently lost his character; by his presence on board a vessel which was transgressing the law, he became a party to that transgression, and so far from sheltering it, he aggravated it by all the authority of his commission. It will be enough for France to weigh this simple fact in her justice, in order to see that she is here placed in the alternative of admitting that the officer ceased from that moment to represent the French Government, or of pretending that the principles of international equity must be effaced by her superiority as a Power of the first class, and that an illegal act becomes a right wherever one of her agents appears. The whole past history of France, even without the sentiments of friendship and mutual esteem which unite the two countries, refutes this last hypothesis.

Here there is an important remark to be made. The French official was the first to allow that his presence on board the "Charles et Georges" could in no way, in such a case, render that vessel inviolable. Neither he nor the captain resisted the exercise of the rights of the Portuguese cruiser. Not only was it unnecessary for the cruiser to use force, but it was even able to dispense with the usual requisitions. It had but to ask leave to visit the "Charles et Georges," for everything to be thrown open, and on the drawing up of the memorandum of the visit, not only do the delegate and the captain abstain from all direct protestation, but they do not even resort to the implied protestation of refusing to sign it. They both sign the protest without hesitation, and without reserve. With such a grave threat as that of seizure before them, would the captain and the delegate have shown such good-will, if they had seen the slightest possibility, the one of invoking his official character, the other of sheltering himself behind the authority of an official agent.

Apart from the question of principle, there remain the questions of fact.

The first of these is to ascertain whether, at the time of the visit of the cruiser, the "Charles et Georges" was stationed in a forbidden spot or not.

In support of the negative the captain shows his log-book; but in support of the affirmative, the Portuguese cruiser can show hers. The Portuguese Government leaves to France to decide whether, in principle and in fact, between these two assertions, the scale must not incline towards the affirmative: in principle, because the declaration of an officer of the Royal navy has everywhere greater weight than the essentially-interested declaration of a merchant captain; in fact, because a cruiser is supposed to know the waters which are intrusted to its guardianship much better than a merchant-vessel could, which has stopped there accidentally.

The second question of fact is to ascertain whether the embarkation of negroes on board the "Charles et Georges" had taken place in virtue of a permission from the Portuguese authorities. The only permission of which mention has been made hitherto, seems to have emanated from the Sheik of Matibano. Now such an authority could be no more binding on the Portuguese Government than that, for example, of an Algerian Sheik giving a permission of embarkation, for a remuneration, on his own responsibility, would be binding on the French Government.

The few powers regarding internal police which are granted to the Chiefs of subject-tribes, can certainly not extend to the exercise of a right of sovereignty.

It now remains to be seen whether the Government of Mozambique exceeded its power, in bringing the "Charles et Georges" before the Courts of Justice as a slaver. This officer could, unfortunately, not act otherwise. The "Charles et Georges" was embarking negroes destined

for the French colonies, where slavery is abolished, it is true; but her presence on a forbidden spot, the absence of contracts of engagement, and the declarations of the negroes who were interrogated, all the circumstances come within the category of the facts provided against by the laws for the suppression of the Slave Trade, and the Government, within whose province the interpretation of the law does not come, had no other alternative but to refer the question to the Courts of Law, which are still engaged upon it.

No. 47.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, October 18, 1858.

IMMEDIATELY on receiving your Lordship's telegram, stating that Her Majesty's Government will gladly give their good offices to prevent a collision between France and Portugal, but adding that if there were informalities during or after the seizure of the "*Charles et Georges*," it would be better to drop the prosecution, I communicated it, by letter, to the Marquis de Loulé, and had an interview with him on the subject of it.

The Marquis, in the first place, requested me to convey to your Lordship the best thanks of the Portuguese Government for the promise of the good offices of Her Majesty's Government, and he again repeated this request, when, upon the receipt, on the 12th instant, of your Lordship's despatch of the 25th ultimo, I communicated to him its contents.

With regard to the question of any informalities, his Excellency remarked that the object of the Portuguese Government must be to find a means of getting out of the difficulty with honour. Although, at one time, he had entertained a doubt whether the Judge at Mozambique was competent to decide upon the case, yet since that he had received a high legal opinion in favour of his competency; and the only informality which there appeared to be on the trial, was that after the witnesses had separately made their depositions, they were not called upon to confirm them in open Court.

I have since frequently reverted to this point of informalities in my conversations with the Marquis; but he has remarked that it is, in fact, only the Court of *Relação*, to which the captain of the vessel has appealed, that can decide it, and that if informalities were discovered, a fresh trial would have to take place.

The united sections of the Administrative and "*Contentieux*" Departments of the Council of State were convoked for the purpose of considering the legality of the capture, and the other points bearing upon it, and met on the 14th instant, but did not make a report, as desired by the Government, because it was decided that they could not legally give a joint written opinion, and the matter was, consequently, referred to the Administrative Section, under whose consideration it now is, for a report; but his Excellency informs me that they nevertheless pronounced the opinion that the "*Charles et Georges*" was in Portuguese waters when she was visited and captured, and, consequently, within Portuguese jurisdiction; and that the Judge of Mozambique was competent to decide upon the case, because the vessel was prosecuted not only for an infraction of the laws against the Slave Trade, but likewise of the fiscal laws, having been found in a port not open to foreign commerce, and that the two questions could not be separated. His Excellency added, that this was likewise the opinion of the Attorney-General.

I remarked to the Marquis that I conceived that the King must have the right of pardoning in such cases; but his Excellency replied that he did not know how that right could be applied in such a matter, and that the case was complicated, on account of the rights of the captors. It must be observed that the present is not an appeal by the Crown from an acquittal, but an appeal by the captain from a condemnation, and that, pending this appeal, the action of the Government is legally paralyzed.

Subsequently, after the receipt on the 13th instant of your Lordship's despatch of the 8th, I acquainted his Excellency with the instruction which you had sent on the 6th to Her Majesty's Ambassador at Paris, to deprecate any hostile measure against Portugal.

In the meantime, on the 12th instant, the Marquis had received a telegram from Viscount Paiva, announcing the hope of a conciliatory solution.

In consequence of this message, and of a permission, which has been sent by telegraph to the Viscount, in answer to an open application of his for leave of absence, he is expected here by the packet from Nantes, due on the 19th instant.

I informed the Marquis de Loulé that your Lordship had directed me to recommend to the Portuguese Government to drop the prosecution, on the ground that the French captain believed the Sheik of Matabane to be an independent Chief, and although this recommendation was not quite applicable to the case, as the French captain was aware that Matabane was Portuguese territory, and grounds his defence of the legitimacy of his proceedings upon the fact of the Sheik having produced an authority, dated the 25th of September, 1856, from the late Governor-General of Mozambique, to supply the French vessels with negroes, I observed that although your Lordship's recommendation might not be applicable in the exact form in which it was made, yet I thought the Portuguese Government would be acting up to its spirit if they were to consent to give up the vessel on the ground that when the captain purchased the blacks, he did so under the persuasion, in consequence of the above-mentioned authority, produced by the Sheik from the late Governor-General, that their exportation was permitted by the Portuguese Government.

The Marquis, after saying that the captain admitted that Matabane was Portuguese territory, remarked that nothing could now be done until the French rejoinder arrived; that he had hopes, from Viscount Paiva's above-mentioned telegraphic message, that he might be the bearer of a basis of arrangement; that if Portugal had to make concessions, it was necessary that France should do so likewise; that if, however, France were not to concede anything, the Portuguese Government would think it more honourable to yield to superior force, than to be the only ceding party.

The French Minister is now in hourly expectation of receiving the instructions of his Government.

No. 48.

Earl Cowley to the Earl of Malmesbury.

My Lord,

Paris, October 25, 1858.

I HAVE the honour to inclose herewith to your Lordship, extracted from the "Moniteur" of this day, an official announcement that the "Charles et Georges" has been set at liberty by the Portuguese Government.

I have, &c.
(Signed) COWLEY.

Inclosure in No. 48.

Extract from the "Moniteur" of October 25, 1858.

Paris, le 24 Octobre, 1858.

LE Ministre des Affaires Etrangères a reçu, ce matin, une dépêche télégraphique, sous la date du 23 Octobre, du Ministre de l'Empereur à Lisbonne, annonçant que le Gouvernement Portugais s'est décidé à restituer le navire le "Charles et Georges," et à mettre le Capitaine Rouxel en liberté.

No. 49.

The Earl of Malmesbury to Earl Cowley.

My Lord,

Foreign Office, October 26, 1858.

I INCLOSE, for your Excellency's information, copies of despatches, as noted in the margin,* which I have received from Mr. Howard, Her Majesty's Minister at Lisbon, relating to the case of the "Charles et Georges."

I am, &c.
(Signed) MALMESBURY.

No. 50.

The Earl of Malmesbury to Mr. Howard.

My Lord,

Foreign Office, October 26, 1858.

I INCLOSE, for your information, copies of despatches, as noted in the margin,† which I have received from Her Majesty's Ambassador at Paris, relating to the case of the "Charles et Georges."

I am, &c.
(Signed) MALMESBURY.

No. 51.

The Earl of Malmesbury to Earl Cowley.

My Lord,

Foreign Office, October 30, 1858.

WHILE in attendance upon Her Majesty at Windsor, I took the first opportunity which occurred, the day before yesterday, of addressing some observations to the Duke of Malakoff relative to the manner in which the Government of His Imperial Majesty had enforced their demands upon the Portuguese Government for the release of the "Charles et Georges" and her captain.

I began by expressing the satisfaction I felt that the dispute appeared to be terminated, and that Her Majesty's Government, not being in possession of all the facts of the case, it was not my intention, as, indeed, it was not my province, to enter into the contending views of the two parties.

At the same time I observed, that I should be wanting in that frankness which I had always shown, and received in return from his Excellency, were I to conceal from him the painful impression made upon Her Majesty's Government by the course which so great a country as France had thought fit to pursue in a dispute with a State so comparatively weak as Portugal.

The great power and military resources of France, I argued, placed her in a position above all possible suspicion of being indifferent or helpless to maintain her dignity and vindicate her honour. It was, therefore, with great concern that I had seen that, when, on the late occasion, Portugal requested Her Majesty's Government to use her good offices between the disputants,—and, by the authority of Her Majesty's Government, your Excellency proposed and earnestly advocated mediation,—the French Government refused the mediation of any third Power, and considered the question as a point of national honour which admitted of no friendly hand to assist in its settlement.

I pointed out to his Excellency how highly Her Majesty's Government valued the great principle established by the 23rd Protocol of Paris, which was signed by all the Plenipotentiaries on the 14th of April, 1856. We had always considered that act as one of the most important to civilization, and to the security of the peace of Europe; for although it left the propounders and adherents of that principle undoubtedly free to act with all the vigour of independent nations, it recognized and established the immortal truth that time, by giving place for reason to operate, is as much a preventive as a healer of hostilities.

* Nos. 46 and 47.

† Nos. 31, 44, and 45.

I reminded his Excellency that, in venturing to make these remarks, Her Majesty's Government did not give their opinion unsupported by example, and that the late case of the "Cagliari" was, as a point of honour, perfectly analogous.

Doubtless, it would have been easy for England and Sardinia to have sent ships-of-war into the Bay of Naples as a prelude to stronger acts, and, doubtless, their appearance would have at once obtained the release of the English prisoners, and the Sardinian vessel and her crew. But Count Cavour and Her Majesty's Government, mindful of the Protocol of Paris, acted strictly upon its spirit, and having first convinced themselves by the opinions of their legal advisers that justice was on their side, offered to the Sicilian Government a reference to another friendly Power.

I impressed upon the Duke the great dangers to which any State departing from the principle of the Protocol, and acting hastily against another Power on the impression of having been wronged, must expose the peace of Europe and the world; and I exemplified the truth of my statement, and justified my anxiety, by pointing out the possible effects of the proceedings of France at Lisbon.

Great Britain has, for two centuries, been in strict alliance with Portugal, and is bound, by Treaties, to come to her assistance in case of attack or aggression by foreign Powers.

It was needless to state that such assistance could only be granted if Portugal were completely in the right, and not herself an aggressor.

Nevertheless, it was evident that any hostile act on the part of the French Government, or of one of its officers, might have produced complications, and brought about results upon which I willingly avoided to dwell. Such fearful risks could never be encountered if time and reason, combined with the mediation of a friendly Power, were permitted to bear upon the angry passions of the disputants.

Our great value for the alliance of France, and the inestimable price which Her Majesty's Government placed upon the maintenance of the peace of Europe, must, I hoped, be sufficient to explain the frankness with which I addressed him on a subject with which British interests are not immediately concerned.

I understood his Excellency to say that he received my sentiments in the friendly sense in which they were offered, and that he would communicate them to his Government.

I must, however, request your Excellency to repeat them verbally to Count Walewski in language as nearly as you can identical with that of my conversation with the Duc de Malakoff.

It may be unwise, and I fear it would be useless at this moment, to represent, as your Lordship has so often done, to the French Government, the immorality and political dangers which must be caused by an adherence to their scheme of negro emigration. Experience will, doubtless, prove to them that it must give rise to international disputes, massacres of the French crews, retaliatory cruelties to the negroes, and a general encouragement to the illegal Slave Trade all over the world.

My predecessor in office has, as well as myself, constantly urged these certain perils on the French Government, and although the present opportunity may not appear to your Lordship to be the most favourable one to repeat these warnings, I must press upon your Lordship not to omit any which may offer itself to reiterate our sentiments and convictions.

I am, &c.

(Signed) MALMESBURY.

No. 52.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, October 27, 1858.

IN the evening of the 19th instant, the Marquis de Piennes, one of the Secretaries of the French Legation at this Court, arrived at Lisbon, on board the

steamer of war "Coligny," bearing the final instructions of his Government to the French Minister, the Marquis de Lisle, in the affair of the "Charles et Georges," as contained in a despatch from Count Walewski, dated the 13th instant.

By this despatch, with reference to the demand made by Viscount Paiva, the Portuguese Minister at Paris, that the whole question should be submitted to the mediation of a friendly Power, and to the confidential suggestions of Count Lavradio, the Marquis de Lisle was directed to declare to the Marquis de Loulé that the French Government consented to accept the mediation of the King of the Netherlands concerning the indemnity due to the interested parties, and, moreover, to order Rear-Admiral Lavaud to quit Lisbon, if the Portuguese Government took the engagement to deliver up the vessel "Charles et Georges" to the Marquis de Lisle, and to restore Captain Rouxel to complete liberty, on the day following the departure of the French ships of the line. Count Walewski declared, in the same despatch, that the French Government would not admit of any modification on the question of principle.

Accordingly, on the following day, the 20th instant, the Marquis de Lisle communicated to the Marquis de Loulé the contents of this despatch, and left with him some extracts from it. Subsequently, however, he communicated the despatch itself to M. de Loulé.

The Marquis de Lisle, in the first instance, requested an answer to his communication by the morning of the 22nd instant, but in consequence of the delay in the arrival of the Viscount de Paiva, which, on account of stormy weather, only took place late in the night of the 21st instant, he afterwards consented to prolong the term, within which he required a reply, until the 23rd instant, at noon.

The Marquis de Lisle, whom I saw on the 20th instant, informed me, as he likewise did the Marquis de Loulé, that if the proposals contained in Count Walewski's despatch of the 13th instant were not accepted by the Portuguese Government, it would become his duty to present an ultimatum, with the details of which he did not, however, acquaint me, although he said it would not contain any proposal of mediation; and that if the terms of the ultimatum were rejected, he was directed to retire from Lisbon with all the members of his Legation, and of the French Consulate, and that the further conduct of the affair would be left in the hands of Rear-Admiral Lavaud.

Thinking it my duty to contribute, as far as I could, to an amicable settlement of the affair, I stated to the Marquis de Loulé, on the 20th instant, that I was without instructions from your Lordship respecting the particular proposals contained in Count Walewski's despatch of the 13th instant; but that, as he was aware, I had been directed by your Lordship to recommend to His Most Faithful Majesty's Government to drop the prosecution, if there were informalities during or after the seizure of the vessel: and that your Lordship had repeated this advice on somewhat different grounds in a further telegraphic despatch to me of the 16th instant. I said that I therefore considered that I should only be acting up to the spirit of your Lordship's instructions, in recommending to him the acceptance of the present proposals of the French Government, because it really did appear that there were informalities in the judicial proceedings; because the captain of the "Charles et Georges" had, according to the French allegations, reason to suppose, from the license from the late Governor-General of Mozambique to supply French vessels with negroes produced by the Arab Sheik of whom he purchased them, that the Portuguese authorities authorized their exportation; because the question had now been placed on the ground of an international one; and because, if the proposals in question were rejected, more serious demands might be put forward to which His Most Faithful Majesty's Government would, no doubt, eventually be obliged to yield.

The Marquis de Loulé having, on the following day, the 21st instant, requested me, in the note of which the inclosed is a translation, to give him, with reference to my above-mentioned verbal communications with him, my opinion concerning the best decision to be adopted, I repeated to him, in the note of the same date, of which I likewise annex a copy, the opinion which I had already given him in favour of the acceptance, by the Portuguese Government, of the French proposals of the 13th instant, stating, at the same time, that I had taken it upon my own responsibility thus to record it.

I was induced to comply with this request on the part of the Marquis de Loulé on account of the wish entertained by Her Majesty's Government for an amicable settlement of this affair, and because I feared lest some decision might be taken on the part of Portugal which would have placed the continuance of friendly relations between her and France in imminent danger, even if it had not led to a complete rupture of them.

The Council of State having been convoked for the purpose of giving its opinion on the course to be adopted, met in the evening of the 21st instant. Its opinion was, as I afterwards learnt, in favour of giving up the vessel, on the ground of the demonstration of force made by France, but to reject the partial mediation proposed by France, and to leave it to the latter to fix the indemnity to be paid by Portugal.

Viscount Paiva having arrived, as I have already reported, in the night of the 21st instant, was the bearer of a letter of the 13th instant from Count Lavradio to the Marquis de Loulé, reporting that Count Walewski had agreed to the proposal which he had made to him to order the French ships of the line to leave the Tagus, on the Portuguese Government engaging to release the vessel and the captain after their departure, "the definitive arrangement of the affair being subsequently submitted to the mediation of a third Power, in conformity with the Protocol of the Conferences of Paris of the 14th of April, 1856."

Moreover, Viscount Paiva had understood Count Walewski to agree to the principle of the indemnity entering into the mediation, by which the whole question would have been raised, inasmuch as the mediation was to be for the purpose of fixing, if there should be occasion for so doing, the indemnity to the interested parties.

The Marquis de Loulé communicated to the Marquis de Lisle on the 22nd instant the foregoing statement of Count Lavradio, concerning the assent of Count Walewski to his proposal that, after the release of the vessel and captain, the whole question should be submitted for arbitration, with a view to ascertain whether the Marquis de Lisle was disposed to agree to such an arrangement. But the French Minister replied that, notwithstanding his great wish to do what was in his power to facilitate a conciliatory settlement, he was precluded by the terms of his instructions, as contained in Count Walewski's despatch of the 13th instant, which limited the proposal of mediation to the question of the amount of the indemnity for the interested parties, from admitting it for the whole question.

As Earl Cowley had, in his despatch of the 13th instant (a copy of which was inclosed to me in your Lordship's despatch of the 16th instant, received on the 22nd), reported Count Lavradio's proposal, as learnt from him, as extending the mediation to the legality of the seizure of the vessel, and as his Lordship stated, in relating a conversation he had with Count Walewski on the subject, that he augured from his general tone that, provided the "Charles et Georges" were released, the legality of her capture, as well as the other questions arising out of it, might be the subject of a future mediation; and as his Lordship further stated in the same despatch that Count Walewski had remarked to him that the honour of France would be satisfied by the release of the ship and her captain, and a messenger would therefore be sent that night to Lisbon, giving full powers to M. de Lisle to enter into any arrangement for the future settlement of this affair, I called upon the Marquis de Lisle at once, and after taking it upon myself, in the interest of a conciliatory settlement, to show him that part of Lord Cowley's despatch which contained these statements, I urged him to agree to extend the proposed mediation to the whole question. M. de Lisle replied to me, as he had done to the Marquis de Loulé, that he was limited in his action by the terms of Count Walewski's despatch, and that he had no full powers such as Lord Cowley had understood were to be given to him.

Under these circumstances, the Portuguese Government decided upon yielding to the pressure exercised upon them by the French Government, upon releasing the vessel and the captain at once, without requiring or awaiting the departure from the Tagus of the two French ships of the line, and upon refusing the mediation for the pecuniary question, and leaving it to the French Government to fix, themselves, the amount of the indemnity to be paid by

Portugal. I should here repeat an observation I made in a previous despatch, that the captain has been at large since his arrival here.

Before the note in this sense was drawn up, I saw the Marquis de Loulé, and again represented to him the advantages which Portugal might gain from accepting the mediation on the question of the indemnity, saying that it would hardly be possible for the mediator not to touch upon the question of principle; that he might very likely decide that no indemnity was due; and that thus the position taken by Portugal would be strengthened in the eyes of Europe. But his Excellency replied, that the Portuguese Government were of opinion that they could not accept the partial mediation without placing themselves in contradiction with themselves, and without their acceptance of it implying a sacrifice of the principle for which they contended, and an abandonment of their rights. His Excellency said it was only on the ground of the compulsion under which they were acting, that the Portuguese Government could, after the refusal by France of a mediation such as they had proposed, justify, towards the country and Parliament, the surrender of the vessel, and the payment of an indemnity.

In the morning of the 23rd instant, shortly before the hour fixed for the interview which the Marquis de Lisle was to have with the Marquis de Loulé, for the purpose of receiving the answer of the Portuguese Government, the Marquis de Loulé sent to the French Minister a note, dated the 23rd instant.

In this note the Marquis de Loulé declares that the Portuguese Government, strong in the justice of their cause, and retaining the conviction of their right, but recognizing, at the same time, the impossibility of causing it to prevail in presence of the categorical verbal statements of the Marquis de Lisle, assume towards the country the grave responsibility of yielding to the peremptory demands of the French Government, by ordering the liberation of Captain Rouxel, and by giving up the captured vessel to the person authorized by the Marquis de Lisle to take charge of her.

With regard to the mediation suggested by the Imperial Government for fixing the sum to be demanded as compensation, the Marquis de Loulé says that, as the mediation was not accepted as proposed by His Most Faithful Majesty's Government, upon the question of right—the only one which affected the national honour and dignity—the Portuguese Government cannot accept mediation upon the pecuniary question, leaving it to the Imperial Government to proceed upon this point as they may think fit, and will cede to the resolutions taken by France for the same reasons which oblige them to cede to the other demands.

The Marquis de Lisle saw the Marquis de Loulé shortly after his reception of this note, and expressed his regret at the non-acceptation by Portugal of the proposed partial mediation. He produced, at the same time, the sketch of an arrangement, in three Articles, herewith inclosed, containing a wording on that subject slightly varying from the letter of Count Walewski's despatch of the 13th instant, and to which, as a proof of his anxiety to contribute to a conciliatory settlement, he said he would take it upon himself to agree.

The Marquis de Loulé replied, that the Portuguese Government had already taken their decision in this matter, and also declined M. de Lisle's offer to present him with the ultimatum of the French Government.

At this interview it was agreed that the "Charles et Georges" should be given up on the morning of the 25th instant.

The Marquis de Lisle afterwards spoke to me, in the same terms, of the alteration in the wording of the phrase concerning the partial mediation he had been prepared to consent to.

The Marquis de Loulé received, the same day (the 23rd instant), a note from the French Minister, acknowledging the receipt of his note of the 23rd instant, stating his intention to transmit it to his Government, and appointing Captain de Surville, of the "Requin" steamer, to receive the "Charles et Georges."

The delivery of the vessel to Captain de Surville took place on the morning of the 25th instant, as agreed upon, without any remarkable incident having occurred; and, the same day, there appeared in the "Diario do Governo," the statement (of which the annexed is a translation) relative to the case of the vessel, and to the circumstances under which the Portuguese Government had been forced to yield to the peremptory demands of France in respect of her.

On the 26th instant, in the middle of the day, the French men-of-war left the Tagus, namely, the ships of the line "Donawerth," bearing the flag of Rear-Admiral Lavaud, and "Austerlitz," and the steamers "Requin" and "Coligny," the latter towing the "Charles et Georges."

Inclosure 1 in No. 52.

The Marquis de Loulé to Mr. Howard.

(Translation.)

Palace, October 21, 1858.

IN presence of the demands presented by the French Government for the release of the vessel "Charles et Georges," you will understand how great is the desire I have to hear the enlightened opinion of the Representative of the nation, our most ancient and faithful ally, on the subject.

I hope that you will not hesitate to give to the explanations which I have had the honour of hearing from you, the necessary complement, informing me what is, in your judgment, the best decision to adopt.

The good relations which have so long subsisted between the two countries make me hope that you will not hesitate to satisfy, in this respect, the wishes of the Portuguese Government.

I avail, &c.
(Signed) MARQUIS DE LOULE.

Inclosure 2 in No. 52.

Mr. Howard to the Marquis de Loulé.

(Extract.)

Lisbon, October 21, 1858.

I HAVE the honour to acknowledge the receipt of your Excellency's note of this day's date, expressing to me the wish to hear my opinion on the subject of the demands of the French Government, which were conveyed to your Excellency yesterday by the French Minister, as contained in a despatch from Count Walewski dated the 13th instant, and of which your Excellency was so good as to show me an extract, for the restitution of the vessel "Charles et Georges," and for the liberation of the captain.

In reply I beg to repeat what I already had the honour of stating verbally to your Excellency yesterday, that I am without instructions from my Government concerning the particular proposals in question, but that having already communicated to your Excellency a message of the 9th instant from the Earl of Malmesbury, by which, whilst announcing to me that Her Majesty's Government would gladly give their good offices to prevent a collision between France and Portugal, and stating that they had no decisive information on the subject, his Lordship directed me to recommend to His Most Faithful Majesty's Government to drop the prosecution, if there were informalities during or after the capture, I considered that I should be only acting up to the spirit of those instructions, in now giving my opinion in favour of the acceptance, by His Most Faithful Majesty's Government, of the present proposals of the French Government for an amicable settlement, which I know my Government to have so much at heart, of the unfortunate differences which have arisen between the French and Portuguese Governments on the subject of the above-mentioned vessel. I likewise referred your Excellency to a further message of the 16th instant from the Earl of Malmesbury, repeating his former advice to drop the prosecution.

My reasons for giving this opinion were, that it really does appear that there were informalities in the judicial proceedings at Mozambique, and that the French captain had reason to suppose that the Arab Sheik of Matibana had the authorisation of the Portuguese authorities to supply him with negroes: moreover, that the question has now been placed on the ground of an international one, and that if His Most Faithful Majesty's Government reject the present proposals of the French Minister, more serious demands may be put forward, to which His Most Faithful Majesty's Government will no doubt eventually be obliged to yield.

I also stated, in giving this opinion, that I thought His Most Faithful

Majesty's Government would be fully justified, if they thought proper to accede to the proposals in question, to ask of the Government of His Majesty the Emperor of the French the assurance, which I feel persuaded will be readily given, that stringent orders will be issued by the latter Government to prevent hereafter the infringement by French vessels of the legal prohibition of His Most Faithful Majesty's Government of the exportation of negroes from the recognized Portuguese colonial possessions.

In view, therefore, of the foregoing considerations, and of the importance for Portugal to maintain her amicable relations with France, and to avoid the grave complications which might result from the rejection of the proffered amicable settlement of the dispute, I cannot but declare that I still adhere to the opinion which I yesterday conveyed to your Excellency, and which I have thus taken it upon my own responsibility to record.

I beg to add that I consider an essential point would be gained by the acceptance of the present proposals, inasmuch as the French Government thereby consent so far to accede to the wishes of His Most Faithful Majesty's Government, as to agree to submit the question of indemnity to the mediation of a friendly Power.

I will further remark that I feel convinced that no better terms could have been obtained, because it is within my knowledge that Her Majesty's Ambassador at Paris has exerted his influence as much as was in his power to moderate the decisions of the French Government.

In conclusion, I am sure I need not repeat to your Excellency how deep an interest Her Majesty's Government feel in everything concerning the honour and welfare of Portugal.

Inclosure 3 in No. 52.

*Sketch of Agreement produced by the Marquis de Lisle to the Marquis de Loulé,
October 23, 1858.*

1. LES deux vaisseaux de Sa Majesté l'Empereur des Français mouillés en rade du Tage sous le commandement de M. le Contre-Amiral Lavaud, s'éloigneront de Lisbonne aussitôt que faire se pourra.

2. Vingt-quatre heures après leur départ le Capitaine Mathurin Rouxel sera mis en liberté et le navire Français "Charles et Georges" sera remis à la Légation de l'Empereur.

3. Les questions subsidiaires, c'est-à-dire, et principalement, celles relatives à l'indemnité réclamée par les intéressés et à la saisie de noirs engagés librement à Mayotte, possession Française, et aux Comores, pays indépendant, seront soumises à la médiation de Sa Majesté le Roi des Pays-Bas, conformément au vœu exprimé dans le Protocole 23 des Conférences de Paris.

Inclosure 4 in No. 52.

Extract from the "Diario do Governo" of October 25, 1858.

(Translation.)

Lisbon, October 24, 1858.

ON the 29th of November, 1857, the French barque "Charles et Georges" was captured by the commander of the naval station at Mozambique, in consequence of being found at anchor near the Island of Quitangonha, in the Bay of Conducia, this being a port not open to foreign trade, and of having on board 110 negroes, who stated that they had been shipped against their will, besides which, the vessel had on board articles which, according to the list annexed to the Decree of the 10th of December, 1836, are considered as indications of the Slave Trade.

The delegate of the law officer of the Crown and Treasury for Mozambique having instituted proceedings against the said barque on the 26th of December, 1857, in compliance with the provisions of the said Decree of the 10th of December, 1836, as well as against her captain and crew, for the violation of

the fiscal laws and the purchase of slaves, and these proceedings having followed the due course, judgment was given on the 8th of March, 1858, condemning the captain to public labour for a term of two years, and to a fine of 500 milreis (about 111*l.*); the barque, its appurtenances, and the money found on board being also condemned, and the crew acquitted. From this judgment appeal was made to the Lisbon Court of Relação by the public prosecutor and by the captain of the vessel.

The French Government having refused to recognize the legality of the capture and of the judgment by the Portuguese Courts, upon the pretext that the vessel was authorized to engage free labourers, and had on board a delegate appointed by the Governor of the Island of Réunion, to superintend such engagements, demanded of the Portuguese Government the restitution of the barque and the liberation of the captain.

The Government did not consider themselves empowered to interfere in an affair which was pending in the courts of justice, the independence of which they could not touch without violating the fundamental law of the State; the French Government, however, continuing to press their claims, more especially in the note addressed by the French Minister at this Court on the 14th ultimo to the Minister for Foreign Affairs, which he answered on the 18th of the same month, adding thereto all the documents elucidating this question, the Government instructed the Portuguese Minister in Paris, in their despatches of the 2nd and 6th instant, to propose to the Imperial Government the decision of the pending question by the mediation of a third Power, to be selected by His Majesty the Emperor of the French, in accordance with the principle established in the 23rd Protocol of the Paris Conferences of April 14, 1856. This proposition was immediately rejected.

By a despatch of the 13th instant, Count Walewski, the French Minister for Foreign Affairs, instructed the Marquis de Lisle de Siry, the French Minister at this Court, to make known to the Portuguese Government that the Imperial Government would accept an arrangement founded upon the following terms:—

The restitution of the captured vessel and liberation of the captain twenty-four hours after the departure from the Tagus of the French vessels.

The mediation of His Majesty the King of the Netherlands for fixing the compensation due to the parties interested, all idea of mediation upon the question of right being rejected by France.

Count Walewski added, that should this basis be not accepted, the French Minister was to proceed in accordance with the instructions he had already received. These instructions, as verbally stated by that Minister to the President of the Council, would lead ultimately to his Excellency's departure with all the members of the Legation, and to that of the French Consulate in Portugal, thus interrupting the diplomatic and commercial intercourse between the two countries, and leaving the termination of the pending question in charge to Admiral Lavaud, the Commander of the French naval force anchored in the Tagus.

Under these circumstances the Government, while retaining the conviction of their right, but recognising at the same time the impossibility of causing it to prevail, judged it their duty to assume towards the country the serious responsibility of ceding to the peremptory demands of France, in ordering the liberation of Captain Rouxel, and in making restitution of the captured vessel to the person appointed by the French Minister to receive her.

With regard to the mediation suggested by the Imperial Government for fixing the sum to be demanded as compensation, the Government considered that, as mediation was not accepted by the French Government, with reference to the question of right, the only one which affected the honour and dignity of this country, the Portuguese Government ought not to accept it upon a pecuniary question, leaving it to France to proceed on this point as she might think fit, and declaring that they would cede to the resolution adopted by France, for the same reasons which obliged them to cede to the other demands.

The note addressed on the 23rd instant by the Foreign Office to the Representative of the Imperial Government at this Court, was drawn up in this sense.

All the documents relating to this affair will be laid before Parliament at their approaching assembly.

No. 53.

The Earl of Malmesbury to Earl Cowley.

My Lord,

Foreign Office, November 3, 1858.

I HAVE received your Excellency's despatch of the 31st ultimo, inclosing a translation of an article from the "Diario do Governo," containing the Portuguese official version of the case of the "Charles et Georges;" and I have to call your Excellency's attention to the omission in this statement of any mention of the good offices offered by Her Majesty's Government in this matter.

I am, &c.
(Signed) MALMESBURY.

No. 54.

The Earl of Malmesbury to Earl Cowley.

(Extract.)

Foreign Office, November 3, 1858.

I TRANSMIT herewith, for your Excellency's information, copy of a despatch which I have received from Mr. Howard, relating to the case of the "Charles et Georges."*

No. 55.

The Earl of Malmesbury to Mr. Howard.

Sir,

Foreign Office, November 6, 1858.

WITH reference to the extract from the "Diario do Governo" of the 25th ultimo, of which a translation is inclosed in your despatch of the 27th ultimo, I have to instruct you to inquire of the Portuguese Government why, in this official statement of the case of the "Charles et Georges," no mention is made of the tender of the good offices of England which was acknowledged with thanks by the Portuguese Government.

I am, &c.
(Signed) MALMESBURY.

No. 56.

The Earl of Malmesbury to Mr. Howard.

Sir,

Foreign Office, November 6, 1858.

I HAVE to inform you that Her Majesty's Government have read with much interest your despatch of the 27th ultimo, and the succinct account which you have therein given of the occurrences immediately preceding the final reply of the Portuguese Government to the Marquis de Lisle in the case of the "Charles et Georges."

Her Majesty's Government entirely approve the judicious course which you pursued on your own responsibility on that occasion.

I am, &c.
(Signed) MALMESBURY.

* No. 52.

The Earl of Malmesbury to Mr. Howard.

Sir,

Foreign Office, November 6, 1858.

I HAVE received your despatch of the 27th ultimo, reporting the recent communications which have passed between the French Minister at Lisbon and the Marquis de Loulé.

Although Her Majesty's Government have learnt with satisfaction that the dispute between the Portuguese and French Governments, in the case of the "Charles et Georges," has apparently been settled, Her Majesty's Government cannot but regret that when Portugal, acting the part of an independent Power, and maintaining her right of jurisdiction in the case under dispute, proposed to refer the matter to mediation, France should have unexpectedly limited her acceptance of that proposal to a part of the case only.

The good offices of Her Majesty's Government, which were tendered before Portugal requested them, were not spared on this occasion; but Lord Cowley endeavoured repeatedly to persuade Count Walewski to refer the dispute to the mediation of a third Power. Later, after the surrender of the "Charles et Georges," Her Majesty's Government expressed to the Duc de Malakoff, and again to Count Walewski, through Lord Cowley, the high value which they attached to the great principle established by the 23rd Protocol of Paris, which was signed by all the Plenipotentiaries, on the 14th of April, 1856, and the great dangers to which any State departing from the principle of that Protocol, and acting hastily against another Power, on the impression of having been wronged, must expose the peace of Europe and the world.

With regard to the future, Her Majesty's Government are of opinion that in order to prevent further complications, which may be caused by an adherence on the part of the French Government to their scheme of negro emigration, it will be desirable for the Portuguese Government to ascertain, as Her Majesty's Government have done, exactly under what forms and circumstances a French suspected ship may be visited to verify its nationality; also whether it is to be understood that the presence of a French delegate protects the ship, and justifies its proceedings, whatever they may be in respect of carrying negroes, in the eyes of the French Government, which is alone responsible for its acts, and against which any complaint must form the subject of diplomatic correspondence.

These are questions which the Portuguese Government should put without loss of time to the Government of France, and with regard to which they should come to a distinct understanding with the Imperial Government.

Without such a clear understanding, the operation of the French scheme will inevitably involve the Portuguese Government in serious embarrassments with France.

Her Majesty's Government sincerely trust that neither the unfortunate dispute which has just occurred, nor the apprehension of increasing difficulties for the future, will shake the constancy of the Portuguese Government in abiding by those Treaties which, in common with Great Britain and Spain, it has established for the suppression of the Slave Traffic. Doubtless the views adopted by France and the United States in respect to the right of search, and the emigration scheme of the former, must weaken our hands for that great and just object; but it is our duty, while submitting to a system which renders a moral principle subservient to a strict legality, to persist, as far as we are permitted by international law, in diminishing, if we cannot eradicate, a great public evil.

It is with these sentiments that Her Majesty's Government have ventured to advise the Portuguese Government what their future course should be, on a subject with which England and Portugal are intimately concerned.

I am, &c.

(Signed) MALMESBURY.

The Earl of Malmesbury to Mr. Howard.

(Extract.)

Foreign Office, November 6, 1858.

WITH reference to my despatches of this day's date, respecting the late transactions on the subject of the "Charles et Georges," I may add that Mr. Fitzgerald saw Count Lavradio on the 18th of October, before my return from Scotland, and Her Majesty's Government were led to think from his language that an arrangement had been come to that the French ships of war should be withdrawn; that Portugal should restore the "Charles et Georges," and that the whole matter should be referred to a third party.

That Count Lavradio was really convinced that such was the state of the case, is proved by Lord Cowley's despatch of the 13th of October, in which Count Lavradio's proposal is first mentioned; Lord Cowley himself being under the same impression.

Her Majesty's Government, therefore, had every reason to think that the proposal of mediation which they had so strongly supported, was substantially accepted, both in respect of the principle and the indemnity.

They are also of opinion that the advice ultimately given by you to M. de Loulé, to accept the French final proposal, was right and proper, as the whole question of principle during the elucidation of facts must have been touched and have been enlarged upon by the mediator.

I may further add that when Count Lavradio saw Mr. Fitzgerald, he said, alluding to the obligations of England towards Portugal, that the good offices of England were all that was required on this occasion in support of the mediation proposed by the Portuguese Government.

Earl Cowley to the Earl of Malmesbury.

My Lord,

Paris, November 8, 1858.

I HAVE the honour to inclose herewith to your Lordship, extracted from the "Moniteur" of this day, a letter from the Emperor to Prince Napoleon, on the subject of negro emigration to the French colonies.

I have, &c.
(Signed) COWLEY.

Inclosure in No. 59.

*Extract from the "Moniteur" of November 8, 1858.**Paris, le 7 Novembre, 1858.*

LEMPEREUR a écrit la lettre suivante à Son Altesse Impériale le Prince chargé du Ministère de l'Algérie et des Colonies :—

"Mon cher Cousin,

"St. Cloud, le 30 Octobre, 1858.

"Je désire vivement qu'au moment même où le différend avec le Portugal, à propos du 'Charles et Georges,' vient de se terminer, la question de l'engagement des travailleurs libres pris sur la côte d'Afrique soit définitivement examinée et résolue d'après les véritables principes du droit et de l'humanité. J'ai réclamé énergiquement auprès du Portugal la restitution du 'Charles et Georges,' parceque je maintiendrai toujours intacte l'indépendance du drapeau national; et il m'a fallu dans cette circonstance, la conviction profonde de mon bon droit pour risquer de rompre avec le Roi de Portugal, les relations amicales que je me plais à entretenir avec lui.

"Mais, quant au principe de l'engagement des noirs, mes idées sont loin d'être fixées. Si, en effet, des travailleurs recrutés sur la côte d'Afrique n'ont pas leur libre arbitre, et si cet enrôlement n'est autre chose qu'une Traite

déguisée, je n'en veux à aucun prix. Car ce n'est pas moi qui protégerai nulle part des entreprises contraires au progrès, à l'humanité, et à la civilisation.

"Je vous prie donc de rechercher la vérité avec le zèle et l'intelligence que vous apportez à toutes les affaires dont vous vous occupez ; et comme la meilleure manière de mettre un terme à des causes continuelles de conflit serait de substituer le travail libre des coolies de l'Inde à celui des nègres, je vous invite à vous entendre avec le Ministre des Affaires Etrangères, pour reprendre, avec le Gouvernement Anglais, les négociations qui avaient été entamées il y a quelques mois. Sur ce, mon cher cousin, je prie Dieu qu'il vous ait en sa sainte garde.

(Signé) "NAPOLEON."

(Translation.)

Paris, November 7, 1858.

THE Emperor has written the following letter to His Imperial Highness the Prince charged with the Administration of Algeria and the colonies :—

"My dear Cousin,

St. Cloud, October 20, 1858.

"I EARNESTLY desire, at the very moment that the difference with Portugal relative to the "Charles et Georges" has just terminated, that the question of the engagement of free labourers, taken on the coast of Africa, should be definitely examined and decided in accordance with the true principles of right and humanity.

"I have strenuously claimed from Portugal the restitution of the 'Charles et Georges,' because I will always maintain intact the independence of the national flag ; and it needed a profound conviction that I was in the right to induce me to risk rupturing those friendly relations which it is my pleasure to maintain with the King of Portugal.

"But as regards the principle of the engagement of blacks my ideas are far from being settled. If, in fact, the labourers recruited from the coast of Africa have not their free choice—if that recruitment is nothing else than disguised Slave Trade, I will have none of it at any price, for I will not protect in any way enterprises which are contrary to progress, humanity, and civilization.

"I pray you, then, to investigate the truth with the zeal and intelligence which you bring to bear upon everything in which you are engaged ; and as the best manner of putting an end to the continual causes of conflict would be to substitute the free labour of Indian coolies for that of negroes, I beg that you will come to an understanding with the Minister of Foreign Affairs, in order to resume with the English Government the negotiations which were begun some months since.

"Upon this, my dear Cousin, I pray God to have you in his holy keeping.
(Signed) "NAPOLEON."

No. 60.

Earl Cowley to the Earl of Malmesbury.

(Extract.)

Paris, November 9, 1858.

I HAD the honour to receive, on the 4th instant, your Lordship's despatch of the 30th ultimo, in which, after giving me the details of a conversation which you had had with the Duke of Malakoff at Windsor, respecting the manner in which the French Government had enforced their demands on the Portuguese Government for the release of the "Charles et Georges" and her captain, your Lordship desires me to repeat, verbally, to Count Walewski the observations which you addressed to the French Ambassador at Her Majesty's Court.

I said I thought it so necessary that the French Government should not be in ignorance of the sentiments of Her Majesty's Government in this matter, that I would beg his Excellency to peruse the despatch in which your Lordship had informed me of what had passed on the occasion in question between yourself and the Duke of Malakoff.

Count Walewski took the despatch from my hands, and after looking through it, returned it to me, saying that the Duke of Malakoff had addressed him a report containing a similar statement.

His Excellency then said that in his desire to avoid an irritating and useless controversy with Her Majesty's Government, it had not been his intention to reply to the Duke of Malakoff's despatch. No good would, in his opinion, result from discussing a question of which the two Governments entertained opinions so diametrically opposite. He should have been satisfied, therefore, to have seen in the Duke of Malakoff's despatch an enunciation of the sentiments of Her Majesty's Government, of which it was not necessary for him to take any particular notice; but since I had repeated to him the remarks made by your Lordship to the Duke of Malakoff, he could not remain silent, and he would request me to represent faithfully the observations which he could no longer avoid making.

In the first place, observed Count Walewski, the British Government seem to forget that the measures to which they advert were not resorted to until friendly remonstrances had been exhausted. M. de Lisle had been for months in communication with the Portuguese Government on this matter; but his verbal expostulations were finally met by an official note, in which the Portuguese Minister for Foreign Affairs positively declared that neither the ship nor the captain would be released. But even then, the French Government, in order that there might not be a shadow of doubt as to their right, submitted the whole question to the examination of a Council of the most eminent jurists in France, and it was not until this Council, after three weeks' consideration of the matter, gave a solemn opinion that the seizure and condemnation of the ship and captain was illegal and unjust, that the French Government determined to enforce the demand for their release.

With regard to the refusal of the Imperial Government to accept the mediation proposed by the Portuguese Government, Count Walewski said that he must recall to your Lordship's recollection, that the declaration contained in the 23rd Protocol of the Congress of Paris was the simple expression of a wish. It was distinctly admitted, by the British as well as by the other Plenipotentiaries assembled on that occasion, that there was nothing obligatory in the declaration, and that the free action of the different Governments adhering to it, was in no way restricted by it. He could assure me, however, that the proposal of an amicable mediation had not been lightly rejected, and that it had been matter of great concern to the Imperial Government, when they had found themselves, under the circumstances of the case, precluded from agreeing to it.

"Neither can I admit," continued his Excellency, "that there is any parity whatever between the seizure of the 'Cagliari' and that of the 'Charles et Georges.' The 'Cagliari' had landed a band of armed marauders on the coast of Naples, and was liable to capture by Neapolitan cruizers wherever they might meet with her. Moreover she was a Sardinian, and not a British vessel, whereas the 'Charles et Georges' was a French ship, and freighted for Government purposes, with a Government agent on board. The French flag had been violently displaced for a Portuguese. In fact, the ship had been captured without a shadow of right on the part of the Portuguese authorities. The two cases will not bear a moment's comparison."

Lastly, Count Walewski adverted to the allusion made by your Lordship to the Treaties which bind Great Britain, in certain eventualities, to give assistance to Portugal against foreign aggression. He expressed regret that this allusion had been made. He did not exactly know the nature of the Treaties referred to, but he was convinced that they did not impose on Great Britain the obligation of giving assistance to Portugal, if Portugal was in the wrong; and as he could not for one moment put in doubt the justice of his own cause, he had never had the least anxiety lest the good understanding which exists between France and Great Britain should be imperilled by the proceedings of the Imperial Government. He was quite certain that, under similar circumstances, the British Government, whatever might be its composition, would take measures, at least as energetic as those on which they now animadverted. But be this as it might, no fear of consequences would prevent the French Government from doing what they thought right, and what the honour of France demanded.

I said that the 23rd Protocol was exactly framed to meet questions of this nature, where both parties claimed to be in the right; but Count Walewski

interrupted me by declaring that the French Government had never declined to submit the question of right to friendly mediation. What they had refused was mediation of any kind so long as the "Charles et Georges" was detained, but he could give me the positive assurance that if, even at the eleventh hour, the Portuguese Government had released the ship, and proposed to settle the question of right and wrong, through a mediator, the proposal would have met with the assent of the Imperial Government. But Portugal could not retain the ship and propose mediation at the same time; at all events, it was impossible for the Imperial Government to entertain such a proposition.

I remarked to Count Walewski that it was to be regretted that M. de Lisle had not better understood the sentiments of his Government, for that on inquiry being made of him, he had stated that the only point on which his instructions would permit him to accept the principle of mediation was that of the amount of the indemnity to be paid for the detention of the "Charles et Georges." Count Walewski replied that it was true that the instructions addressed to M. de Lisle only mentioned indemnity as the subject for mediation, but that it stood to reason that the question of indemnity carried with it the question of right, since before a mediator could say what amount of indemnity was due, he must satisfy himself that the right to receive an indemnity existed. I rejoined that although it was of little value now as regarded the main question, I rejoiced to receive this assurance from his Excellency, because it showed that I had faithfully reported his intentions to Her Majesty's Government, in saying, that if the ship was released the French Government would consent to submit all the questions arising out of it to friendly mediation.

"Beyond doubt," said Count Walewski, "such was our intention."

That Count Walewski said nearly as much to me as is implied in his present assurances, I can positively assert.

During the conversation which I have recounted, I availed myself, as occasion offered, of the observations contained in your Lordship's despatch, to show what were the opinions of Her Majesty's Government in regard to the doctrine of mediation, as laid down in the 23rd Protocol of the Treaty of Paris; and in that part of the conversation when Count Walewski alluded to the Treaties existing between Great Britain and Portugal, I observed that although delicacy had prevented me from referring to them in the course of the communications which I had had with him on this unfortunate matter, I had never felt so much anxiety for the safety of our amicable relations with France, as during the late presence of the French ships in the Tagus.

Before leaving Count Walewski, I touched on the question of the indemnity to be paid by Portugal, remarking that I trusted the Imperial Government would not insist upon it, since, whatever might be the merits of the rest of the case, it was clear that the "Charles et Georges" had violated the municipal law of Portugal. Count Walewski replied, that however much the French Government might have been disposed to let the matter rest with the release of the ship and her captain, such a course had been rendered impossible by the conduct of the Portuguese Government. The Portuguese official paper had replied to the moderate and friendly language of the "Moniteur" by a most offensive article, and had recorded the obligation of Portugal to pay an indemnity. The Imperial Government did not intend to take any notice of the article in question, but it made it incumbent on them to enforce the payment of the indemnity. With regard to the violation of the municipal law of Portugal imputed to the "Charles et Georges," that depended entirely, said his Excellency, on whether the ship had been anchored in Portuguese waters or not, and here the evidence was conflicting. But admitting the ship to have been in contravention of the law, the duty of the Portuguese authorities, before proceeding to extremities, was to have admonished her of the fault she was committing; and this was the more incumbent upon them, as the Governor-General of Mozambique had issued instructions warning the said authorities not to confound with slavers, ships sent by the French Government to obtain free negro labour.

The Earl of Malmesbury to Earl Cowley.

My Lord,

Foreign Office, November 11, 1858.

HER Majesty's Government entirely approve of the manner in which you expressed to Count Walewski, as reported in your Excellency's despatch of the 9th instant, the concern with which they had viewed the conduct of the French Government towards Portugal. After the sudden and unexpected refusal by the French Minister at Lisbon to entertain the mediation of a third Power, on the terms which your Excellency and Count Lavradio had both understood to have been agreed upon by Count Walewski, and upon which Her Majesty's Government had relied, it is a satisfaction to them, as it must be to your Lordship, to have heard from Count Walewski's own lips, that you had not misunderstood his words and intentions.

The apparent misapprehension which M. de Lisle has shown of his instructions, is to be much regretted; and I also think, that if the Portuguese Government had followed Mr. Howard's advice, and accepted the mediation nominally in respect of the "indemnity," they would inevitably have obtained an opinion on the question of "right" also, the two being inseparable after the elucidation of facts.

It is not desirable that you should at present revert to the conversation with Count Walewski, as reported in your despatch above-mentioned.

I must, however, protest against the Count's statement, that the cases of the "Cagliari" and of the "Charles et Georges" are not similar. In my opinion, they are strictly analogous.

In neither case was the dispute confined to the question of seizure, but in both it extended to rights of jurisdiction; and as Her Majesty's Government repudiated the right of Naples to try Her Majesty's subjects, and the Sardinian Government also denied it in respect of their vessel, so did France repudiate the competency of the Portuguese Courts to try her ship and its captain. As, therefore, we appealed in the case of the "Cagliari" to the 23rd Protocol of Paris, the French Government had a fair and recent precedent for following the same course.

I am, &c.

(Signed) MALMESBURY.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, November 8, 1858.

I HAVE the honour of transmitting herewith to your Lordship a translation of that part of the King of Portugal's speech on opening the session of the Cortes on the 4th instant, which relates to the late difference with France on the subject of the seizure of the French vessel "Charles et Georges" in the Mozambique waters.

The wording of this paragraph appears to be generally approved of. In no case could a reference to the difference have been avoided, but in view of the article published in the French "Moniteur" of the 28th ultimo, implying that the Portuguese Government had finally yielded to the representations of the French Government from having acquired a conviction of their justice, it became the more necessary for the Portuguese Government, in order to justify their conduct in the eyes of the Parliament, to establish the fact that they had only yielded to force.

I understand that it is only in a few days that the French Minister here expects to receive the formal answer of his Government to the Marquis de Loulé's note of the 23rd ultimo, conveying the decision of the Portuguese Government in the matter.

Inclosure in No. 62.

Extract from the Speech of the King of Portugal on opening the Session of the Cortes.

(Translation.)

NO interruption has taken place in the friendly relations with the Powers allied to us. A serious misunderstanding, however, arose between my Government and that of His Majesty the Emperor of the French, on account of the capture of the French vessel the "Charles et Georges" in the waters of Mozambique. This question having been withdrawn from the domain of the law, in which my Government had endeavoured to maintain it, and the measures which the letter of existing Treaties authorized them to trust to having been exhausted, they were forced to cede to the peremptory demand for the restitution of that vessel, and for the liberation of her captain.

Shortly the whole of the papers relating to this deplorable conflict will be laid before you. When you have seen them, I trust that you will approve the conduct of my Government, and relieve them from the responsibility which they were forced to incur.

No. 63.

The Earl of Malmesbury to Mr. Howard.

Sir,

Foreign Office, November 16, 1858.

IN the Speech made by the King of Portugal on opening the session of the Cortes on the 4th instant, His Most Faithful Majesty is reported,* in all the English newspapers, to have said, with reference to the case of the "Charles et Georges:"

"My Government having exhausted the resources in which the letter of Treaties authorized it to have confidence, was obliged to cede to the peremptory exaction of the delivery of that vessel and the liberation of the captain."

The reference thus made to the "letter of Treaties," renders it incumbent on Her Majesty's Government to inquire what interpretation the words in italics are intended to bear.

Her Majesty's Government are not aware that any Treaty has been appealed to by Portugal in this case; and they can only suppose that Portugal referred to the Protocol of Paris of the 14th of April, 1856. That Protocol, however, only forms part of the proceedings consequent on the Treaty of Paris of the 30th of March, 1856. and is not embodied in any Treaty.

You will accordingly ask, confidentially, the Marquis de Loulé to favour Her Majesty's Government with the exact meaning of the words in question.

I am, &c.

(Signed) MALMESBURY.

No. 64.

Mr. Howard to the Earl of Malmesbury.

My Lord,

Lisbon, November 20, 1858.

IN order to complete the narrative contained in my despatch of the 27th ultimo, respecting the case of the "Charles et Georges," I beg to add that the period fixed by the French Government for the acceptance of their ultimatum by Portugal was forty-eight hours, at the expiration of which, unless that acceptance had taken place, the French Minister was directed to retire from Lisbon with all the members of the French Legation and Consulate, and to leave the further conduct of the affair in the hands of Rear-Admiral Lavaud.

Your Lordship is, however, aware that, in consequence of the decision

* See "Times" of November 13, 1858.

which the Portuguese Government took in respect to this affair, the French ultimatum was not presented.

The Marquis de Loulé informed me a few days ago that, from a recent letter which he had received from Count Lavradio, it appeared that the original proposal which the Count had made to Count Walewski, by way of a compromise, was, that the "Charles et Georges" should be placed in deposit pending the proposed mediation of the dispute; that Count Walewski had not accepted this suggestion; but that Count Lavradio had certainly understood him to agree to the whole question being submitted to mediation, if the Portuguese Government were to surrender the ship and release the captain.

I have, &c.

(Signed) HENRY F. HOWARD.

No. 65.

Mr. Howard to the Earl of Malmesbury.

My Lord,

Lisbon, November 20, 1858.

HAVING received, on the 14th instant, your Lordship's despatch to me of the 6th instant, containing the advice of Her Majesty's Government to the Portuguese Government as to what their future course should be in respect to the question of the French system of negro emigration, I waited upon the Marquis de Loulé on the 15th instant, and, after stating to him its substance, I read it to him, and afterwards, at his request, I gave him a copy of it.

His Excellency listened attentively whilst I was reading your Lordship's despatch; but, when I had concluded doing so, he begged to reserve the expression of an opinion upon it until a later day. He observed, however, that he was in hopes, from the letter of the Emperor of the French to Prince Napoleon of the 30th ultimo, which had been published in the "Moniteur," that the French Government would abandon their practice of exporting negroes from Africa to their colonial possessions.

On the 19th instant, at an interview which I had with the Marquis de Loulé, I again called his Excellency's attention to the various points of your Lordship's above-mentioned despatch, and urged the adoption of the recommendations it contained.

His Excellency observed, in reply, that the advice which your Lordship offered appeared to him to be reasonable; but that this was too serious an affair for him to be able to give an opinion upon it so soon, and without consulting his colleagues.

In the course of the conversation which ensued, his Excellency remarked that I would, no doubt, have seen from the newspapers that there had been another case of a French vessel, the "Alfred," having entered a Portuguese port under suspicious circumstances. This vessel had proceeded to Ibo, but having negroes on board, and the answers received by the Governor of that place not satisfying him as to her objects, she was sent by him to Mozambique, where she was subsequently released by the Governor-General of the province. His Excellency said that a remarkable circumstance was, that whereas the Delegate of the French Government on board the vessel had declared that the negroes had been engaged at the Comoro Islands, the negroes themselves asserted that they had been purchased on the coast of Mozambique, and several of them spoke Portuguese.

I replied, that the fact which his Excellency had just stated corroborated, in my opinion, the expediency of the Portuguese Government coming to an immediate understanding with the French Government on the subject of the treatment of French emigration ships.

His Excellency rejoined that he had received an assurance from the French Minister here, the Marquis de Lisle, that positive orders had been given by his Government to prevent, for the future, French vessels from seeking negroes in the Portuguese African provinces.

I have, &c.

(Signed) HENRY F. HOWARD.

Mr. Howard to the Earl of Malmesbury.

(Extract.)

Lisbon, November 22, 1858.

IN execution of the instructions contained in your Lordship's despatch to me of the 6th instant, received on the 14th instant, I inquired of the Marquis de Loulé why, in the official statement relative to the case of the "Charles et Georges," published in the "Diario do Governo" of the 25th ultimo, no mention is made of the tender of the good offices of England, and I recapitulated what had passed between his Excellency and myself on that subject.

His Excellency assured me that it was not from any want of appreciation on the part of the Portuguese Government of the friendly conduct of Her Majesty's Government, that they had omitted to make such mention, but because they had thought it desirable to make their statement as concise as possible, and to confine themselves in it to referring to the principal points of their discussions with France.

His Excellency readily confirmed the statements made in my communications to him, namely, that Her Majesty's Government had offered their good offices before they had even been requested by Portugal; that the only request for assistance which had been made by the Portuguese Government of Her Majesty's Government was for their good offices, in order to bring about an amicable settlement of the question, and that he had charged me to convey to your Lordship the thanks of the Portuguese Government for the tender and for the employment of the good offices of Her Majesty's Government, and likewise to Earl Cowley for his exertions to induce the French Government to consent to a mediation of the dispute.

Mr. Howard to the Earl of Malmesbury.

My Lord,

Lisbon, November 27, 1858.

IN compliance with the instructions contained in your Lordship's despatch of the 16th instant, I yesterday inquired of the Marquis de Loulé the meaning of the reference to the "letter of Treaties" made in that part of the King of Portugal's speech, on opening the session of the Cortes on the 4th instant, in which His Most Faithful Majesty says (according to the translation of it quoted by your Lordship):—

"My Government having exhausted the resources in which the letter of Treaties authorized it to have confidence, was obliged to cede to the peremptory exaction of the delivery of that vessel, and the liberation of the captain."

His Excellency at once replied, that the reference thus made was exclusively to the Protocol of Paris of the 14th April, 1856.

I beg to say that it was in this sense that, from the beginning, I understood the reference in question.

I have, &c.
(Signed) HENRY F. HOWARD.

FURTHER PAPER

RELATING TO THE CASE OF THE

“CHARLES ET GEORGES.”

Presented to both Houses of Parliament by Command of Her Majesty.
1859.

LONDON:
PRINTED BY HARRISON AND SONS.

Further Paper relating to the case of the "Charles et Georges."

Mr. Howard to the Earl of Malmesbury.—(Received April 5.)

(Extract.)

Lisbon, March 30, 1859.

I HAVE the honour to report to your Lordship that in the sitting of the Chamber of Peers of the 26th instant, Count Thomar rose and called the attention of the Chamber to what had taken place with reference to the question of the "Charles et Georges," on the occasion of the discussion on the address in answer to the Royal speech.

His Excellency said that, acting upon the documents presented by the Portuguese Government, and under the supposition, founded upon them and upon the Ministerial speeches, that Portugal had met with the most complete neglect on the part of England, in this question, which Great Britain ought to consider as her own, and in which she could not refuse firm support to her faithful ally; he had, as a true and patriotic Portuguese, stigmatized and censured the inexplicable conduct of the English Government towards Portugal, and that he had done so under the conviction that such neglect had actually taken place; but that upon seeing in the papers relating to this case, which were presented to the British Parliament, the proofs that the English Government had from the very commencement offered their good offices to the Portuguese Government, and had actually put them in practice to the extent of eliciting their acknowledgments and thanks for the same, as stated in a document which he would read to the Chamber, and which statement had not been denied by the Government, he felt bound conscientiously to declare to the House that he therefore withdrew the censure which he had, without foundation, imputed to the English Government, as being entirely unmerited, according to the uncontradicted confessions of the Marquis de Loulé, and that he reserved his judgment upon the proceedings of the English Government in this case, until such time as the actual Cabinet, whose attention he now called to the documents published in England, as he had done that of their predecessors, should elucidate the question by stating how far the assertions of the English Government were correct.

The paper referred to by Count Thomar is my despatch to your Lordship, dated the 22nd November, 1858, and published under No. 66 of the correspondence presented to Parliament.

Further Paper relating to the case of the
"Charles et Georges."

*Presented to both Houses of Parliament by Com-
mand of Her Majesty. 1859.*

LONDON :
PRINTED BY HARRISON AND SONS.

TREATY
OF
COMMERCE AND NAVIGATION
BETWEEN
HER MAJESTY
AND THE
EMPEROR OF ALL THE RUSSIAS;
WITH
THREE SEPARATE ARTICLES THEREUNTO
ANNEXED.

Signed at St. Petersburg, January 12, 1859.

Presented to both Houses of Parliament by Command of Her Majesty.
1859.

LONDON:
PRINTED BY HARRISON AND SONS,

TREATY of Commerce and Navigation between Her Majesty
and the Emperor of all the Russias; with three Separate
Articles thereunto annexed.

Signed at St. Petersburg, January 12, 1859.

[Ratifications exchanged at London, February 1, 1859.]

In the Name of the Most Holy and Indivisible Trinity.

Au Nom de la Très Sainte et Indivisible Trinité.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of all the Russias, being desirous of extending and facilitating the relations of commerce between their respective dominions and subjects, have resolved to conclude a Treaty for that purpose, and have named as their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir John Fiennes Crampton, Baronet of the United Kingdom, Knight Commander of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of all the Russias;

And His Majesty the Emperor of all the Russias, Prince Alexander Gortchacow, his actual Privy Councillor and Minister for Foreign Affairs, Knight of the Orders of Russia and of St. Vladimir of the First Class, Grand Cross of the Legion of Honour of France, of the Golden Fleece of Spain, of St. Stephen of Hungary, of the Black Eagle and of the Red Eagle of Prussia, of Ferdinand and of Merit of Naples, of the Crown of Wurtemberg, of the Elephant and of the Danebrog of Denmark, of St. Hubert of Bavaria, of Fidelity and of the Lion of Zähringen of Baden, of the Guelfs of Hanover, of Louis of Hesse-Darmstadt, of the Crown of Saxony, of Ernest of Saxe-Altenburg, of the White Falcon of Saxe-Weimar, of Leopold of Belgium, of the Saviour of Greece, of St. Joseph of Tuscany, of the Pianum, of the Medjidié of Turkey, decorated with the portrait of the Shah of Persia, of the First Class, adorned with diamonds;

SÀ Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté l'Empereur de toutes les Russies, animés du désir d'étendre et de faciliter les relations commerciales entre leurs Etats et sujets respectifs, ont résolu de conclure un Traité à cet effet, et ont nommé pour leurs Plénipotentiaires respectifs, savoir:

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, Sir John Fiennes Crampton, Chevalier Baronet du Royaume Uni, Chevalier Commandeur du Très Honorable Ordre du Bain, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté près Sa Majesté l'Empereur de toutes les Russies;

Et Sa Majesté l'Empereur de toutes les Russies, le Prince Alexandre Gortchacow, son Conseiller Privé actuel et Ministre des Affaires Etrangères, Chevalier des Ordres de Russie et de St. Vladimir de la première classe, Grand-Croix de la Légion d'Honneur de France, de la Toison d'Or d'Espagne, de St. Etienne de Hongrie, de l'Aigle Noir et de l'Aigle Rouge de Prusse, de Ferdinand et du Mérite de Naples, de la Couronne de Wurtemberg, de l'Elephant et du Danebrog de Danemarck, de St. Hubert de Bavière, de la Fidélité et du Lion de Zähringen de Bade, des Guelfes de Hanovre, de Louis de Hesse-Darmstadt, de la Couronne de Saxe, d'Ernest de Saxe-Altenbourg, du Faucon Blanc de Saxe-Weimar, de Léopold de Belgique, du Sauveur de Grèce, de St. Joseph de Toscane, du Pianum, du Medjidié de Turquie, ayant le portrait du Schah de Perse de la première classe orné de diamants;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

There shall be between all the dominions and possessions of the two High Contracting Parties, reciprocal freedom of commerce and navigation. The subjects of each of the two Contracting Parties, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the dominions and possessions of the other, to which other foreigners are or may be permitted to come ; and shall, throughout the whole extent of the dominions and possessions of the other, enjoy the same rights, privileges, liberties, favours, immunities, and exemptions in matters of commerce and navigation, which are or may be enjoyed by native subjects generally.

It is understood, however, that the preceding stipulations in no wise affect the laws, decrees, and special regulations regarding commerce, industry, and police, in vigour in each of the two countries, and generally applicable to all foreigners.

ARTICLE II.

No other or higher duties shall be imposed on the importation into the dominions and possessions of Her Britannic Majesty, of any article the growth, produce, or manufacture of the dominions and possessions of His Majesty the Emperor of all the Russias, from whatever place arriving, and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Majesty the Emperor of all the Russias, of any article the growth, produce, or manufacture of Her Britannic Majesty's dominions and possessions, from whatever place arriving, than are or shall be payable on the like article, the growth, produce, or manufacture of any other foreign country ; nor shall any prohibition be imposed on the importation of any article the growth, produce, or manufacture of the dominions and possessions of either of the two Contracting Parties into the dominions and possessions of the other, which shall not equally extend to the importation of the like articles being the growth, produce, or manufacture of any other country.

ARTICLE III.

No other or higher duties or charges shall be imposed in the dominions and possessions of either of the Contracting Parties,

Lesquels, après s'être communiqué leurs pleins-pouvoirs respectifs, trouvés en bonne et due forme, ont arrêté et conclu les Articles suivants :—

ARTICLE I.

Il y aura entre tous les états et possessions des deux Hautes Parties Contractantes, liberté réciproque de commerce et de navigation. Les sujets de chacune des deux Hautes Parties Contractantes pourront respectivement entrer en toute liberté et sécurité, avec leurs navires et cargaisons, dans toutes les places, ports, et rivières des états et possessions de l'autre dont l'entrée est ou pourra être permise à d'autres étrangers ; et dans toute l'étendue des états et possessions de l'autre ils jouiront, en matière de commerce et de navigation, des mêmes droits, privilèges, libertés, faveurs, immunités, et exemptions, dont jouissent ou jouiront les nationaux.

Il est entendu, toutefois, que les stipulations qui précèdent ne dérogent en rien aux lois, ordonnances, et réglemens spéciaux en matière de commerce, d'industrie, et de police, en vigueur dans chacun des deux pays, et applicables à tous les étrangers en général.

ARTICLE II.

Il ne sera imposé d'autres ni de plus forts droits sur l'importation dans les états et possessions de Sa Majesté Britannique, d'un article quelconque, produit du sol ou de l'industrie des états et possessions de Sa Majesté l'Empereur de toutes les Russies, de quelque place qu'il arrive, et il ne sera imposé d'autres ni de plus forts droits sur l'importation dans les états et possessions de Sa Majesté l'Empereur de toutes les Russies, d'un article quelconque, produit du sol ou de l'industrie des états et possessions de Sa Majesté Britannique, de quelque place qu'il arrive, que ceux qui sont ou seront payés pour le même article produit du sol ou de l'industrie d'un autre pays étranger quelconque ; et il n'y aura aucune prohibition pour l'importation d'un article quelconque, produit du sol ou de l'industrie des états et possessions de l'une des deux Hautes Parties Contractantes dans les états et possessions de l'autre, laquelle ne s'étendra pas également à l'importation des mêmes articles produits du sol ou de l'industrie d'un autre pays quelconque.

ARTICLE III.

Il ne sera imposé d'autres ni de plus forts droits ou charges dans les états et possessions de l'une des Parties Contractantes,

on the exportation of any article to the dominions and possessions of the other, than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two Contracting Parties to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country.

ARTICLE IV.

The same reciprocal equality of treatment shall take effect in regard to warehousing, and to the transit trade, and also in regard to bounties, facilities, and drawbacks, which are or may be hereafter granted by the legislation of either country.

ARTICLE V.

All merchandize and articles of commerce, the produce or manufacture either of the dominions and possessions of His Majesty the Emperor of all the Russias, or of any other country, which are or may be legally importable into the ports of the United Kingdom of Great Britain and Ireland, its dominions and possessions, in British vessels, may likewise be imported into those ports in Russian vessels, without being liable to any other or higher duties, of whatever denomination, than if such merchandize and articles were imported in British vessels; and reciprocally, all merchandize and articles of commerce, the produce or manufacture either of the United Kingdom of Great Britain and Ireland, its dominions and possessions, or of any other country, which are or may be legally importable into the ports of the dominions and possessions of His Majesty the Emperor of all the Russias, in Russian vessels, may likewise be imported into those ports in British vessels, without being liable to any other or higher duties, of whatever denomination, than if such merchandize and articles were imported in Russian vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such merchandize and articles come directly from the place of origin, or from any other place.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the dominions and possessions of either of the High Contracting Parties, on the exportation of any article

sur l'exportation pour les états et possessions de l'autre, d'un article quelconque, que ceux qui sont ou seront payés à l'exportation du même article pour un autre pays étranger quelconque; et l'exportation d'un article quelconque des états et possessions de l'une des deux Parties Contractantes pour les états et possessions de l'autre, ne sera frappée d'aucune prohibition qui ne s'étendra pas également à l'exportation du même article pour tout autre pays.

ARTICLE IV.

Il y aura réciproquement la même égalité de traitement pour l'emmagasinage, pour le commerce de transit, ainsi que pour les primes, facilités, et remboursements de droits qui sont ou qui pourraient être accordés par la législation de l'un ou l'autre pays.

ARTICLE V.

Toutes les marchandises et tout article de commerce, produits du sol ou de l'industrie soit des états et possessions de Sa Majesté l'Empereur de toutes les Russies, soit d'un autre pays quelconque, qui peuvent ou qui pourront être légalement importés dans les ports du Royaume Uni de la Grande Bretagne et d'Irlande, et de ses états et possessions, par navires Britanniques, pourront également y être importés par navires Russes, sans payer d'autres ni de plus forts droits, sous quelque dénomination que ce soit, que si ces marchandises et articles de commerce étaient importés par navires Britanniques; et réciproquement, toutes les marchandises et tout article de commerce produits du sol ou de l'industrie, soit du Royaume Uni de la Grande Bretagne et d'Irlande, de ses états et possessions, soit d'un autre pays quelconque, qui peuvent ou qui pourront être légalement importés dans les ports des états et possessions de Sa Majesté l'Empereur de toutes les Russies, par navires Russes, pourront également y être importés par navires Britanniques, sans payer d'autres ni de plus forts droits, sous quelque dénomination que ce soit, que si ces marchandises et articles de commerce étaient importés par navires Russes. Cette réciproque égalité de traitement aura son effet sans distinction de provenance, soit que la marchandise ou article de commerce arrive directement du pays de son origine, soit qu'il arrive de tout autre pays.

De la même manière il y aura parfaite égalité de traitement pour l'exportation, de sorte que les mêmes droits de sortie seront payés, et les mêmes primes et remboursements de droits seront accordés dans les états et possessions de chacune des deux Hautes Parties Contractantes à l'exportation

which is or may be legally exportable therefrom, without distinction, whether such exportation shall take place in Russian or in British vessels, and whatever may be the place of destination, whether a port of the other Contracting Party, or of any third Power.

ARTICLE VI.

No duties of tonnage, harbour, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination, levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on national vessels in general; the intention of the two High Contracting Parties being that, save certain exemptions which the shipping of some ports of the United Kingdom of Great Britain and Ireland enjoys from old times, in this respect there shall not exist in their respective dominions and possessions, in regard to the above-mentioned duties, any privilege or preference whatever favouring the national flag to the prejudice of the flag of the other party. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

ARTICLE VII.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

ARTICLE VIII.

The stipulations of the preceding Articles shall not apply to the coasting trade, which each of the High Contracting Parties shall regulate according to its own laws.

The vessels of each of the two Contracting Parties shall, however, be at liberty, according as the captain, proprietor, or other person duly authorized to act as agent for the vessel or cargo, shall consider advisable, to proceed from one port of one of

d'un article quelconque qui peut ou qui pourra en être légalement exporté, sans distinction que l'exportation se fasse par navires Russes ou par navires Britanniques, et quelle qu'en soit la destination, soit pour un port de l'autre Partie Contractante, soit pour un port d'une Puissance tierce quelconque.

ARTICLE VI.

Aucun droit de tonnage, de port, de pilotage, de fanaux, de quarantaine, ni autre droit semblable ou correspondant, de quelque nature ou sous quelque dénomination que ce soit, perçu au nom ou au profit du Gouvernement, de fonctionnaires publics, de particuliers, de corporations ou d'établissements quelconques, ne sera imposé dans les ports de l'un des deux pays aux navires de l'autre, qui ne serait pas également, et dans les mêmes conditions, imposé aux navires nationaux en général; l'intention des deux Hautes Parties Contractantes étant que, sauf certaines exemptions locales dont jouit d'ancienne date la navigation de quelques uns des ports du Royaume Uni de la Grande Bretagne et d'Irlande, il n'existe dans leurs Etats et possessions respectifs, sous le rapport des droits mentionnés ci-dessus, aucun privilège, ni aucune prérogative quelconque, favorisant exclusivement le pavillon national au préjudice du pavillon de l'autre Partie Contractante. Cette égalité de traitement aura réciproquement son effet à l'égard des navires respectifs, de quelque port ou place qu'ils arrivent, et quelle que soit leur destination à leur départ.

ARTICLE VII.

En tout ce qui concerne le placement, le chargement, et le déchargement des navires dans les ports, bassins, docks, rades, ou rivières des deux pays, aucun privilège ne sera accordé aux navires nationaux qui ne sera également accordé aux navires de l'autre pays; l'intention des Hautes Parties Contractantes étant que sous ce rapport aussi les navires respectifs soient traités sur le pied d'une parfaite égalité.

ARTICLE VIII.

Les stipulations des Articles qui précèdent ne s'appliqueront point au commerce de cabotage, que chacune des Hautes Parties Contractantes réglera conformément à ses propres lois.

Toutefois, il sera libre aux navires de chacun des deux pays, selon que le capitaine, le propriétaire, ou une autre personne dûment autorisée à agir comme agent pour le navire ou la cargaison, le jugera à

the two States to one or several ports of the same State, in order to discharge the whole or part of their cargo brought from abroad, or in order to take in or complete their cargo, without paying other duties than those to which national vessels are, or may hereafter be, liable in similar cases.

ARTICLE IX.

All vessels which according to the laws of Great Britain are to be deemed British vessels, and all vessels which according to the laws of the Empire of Russia are to be deemed Russian vessels, shall for the purposes of this Treaty be deemed British and Russian vessels respectively.

ARTICLE X.

Her Britannic Majesty engages that in all matters relating to commerce and navigation, the subjects of His Majesty the Emperor of all the Russias shall, in the British dominions, be entitled to every privilege, favour, and immunity which is actually granted, or may hereafter be granted, by Her Britannic Majesty to the subjects or citizens of any other Power; and His Majesty the Emperor of all the Russias, actuated by a desire to foster and extend the commercial relations of the two countries, engages that any privilege, favour, or immunity whatever, in regard to commerce and navigation, which His Imperial Majesty has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the subjects of Her Britannic Majesty.

ARTICLE XI.

The subjects of either of the two High Contracting Parties, conforming themselves to the laws of the country, shall have—

1. Full liberty, with their families, to enter, travel, or reside in any part of the dominions and possessions of the other Contracting Party.

2. They shall be permitted, in the towns and ports, to hire or possess the houses, warehouses, shops, and premises, which may be necessary for them.

3. They may carry on their commerce, either in person or by any agents whom they may think fit to employ.

4. They shall not be subject, in respect of their persons or property, or in respect of passports, licenses for residence or establishment, nor in respect of their commerce

propos, de passer d'un port de l'un des deux Etats dans un ou plusieurs ports du même Etat, soit pour y débarquer toute ou partie de leur cargaison apportée de l'étranger, soit pour y composer ou compléter leur chargement, sans payer d'autres droits que ceux auxquels sont ou seront soumis, en pareil cas, les bâtiments nationaux.

ARTICLE IX.

Tous les navires qui, en conformité des lois de la Grande Bretagne, doivent être considérés comme navires Britanniques, et tous les navires qui, en conformité des lois de l'Empire de Russie, doivent être considérés comme navires Russes, seront, pour l'application du présent Traité, respectivement considérés comme navires Britanniques ou Russes.

ARTICLE X.

Sa Majesté Britannique promet qu'en tout ce qui concerne le commerce et la navigation, les sujets de Sa Majesté l'Empereur de toutes les Russies jouiront dans les états et possessions Britanniques de tous les privilèges, faveurs, et immunités qui sont actuellement ou qui pourraient être par la suite accordés par Sa Majesté Britannique aux sujets ou citoyens d'une autre Puissance quelconque; et Sa Majesté l'Empereur de toutes les Russies, animé du désir de favoriser et d'étendre les relations commerciales des deux pays, promet, de son côté, que tout privilège, toute faveur ou immunité quelconque que Sa Majesté Impériale accorde actuellement, ou qu'elle pourrait accorder par la suite, en matière de commerce et de navigation, aux sujets ou citoyens d'un autre Etat quelconque, sera étendu aux sujets de Sa Majesté Britannique.

ARTICLE XI.

Les sujets de chacune des deux Hautes Parties Contractantes, en se conformant aux lois du pays, auront—

1. Pleine liberté, avec leurs familles, d'entrer, de voyager, ou séjourner dans quelque partie que ce soit des états et possessions de l'autre Partie Contractante.

2. Ils auront la faculté, dans les villes et ports, de louer ou posséder les maisons, magasins, boutiques, et terrains qui leur seront nécessaires.

3. Ils pourront exercer leur commerce, soit en personne soit par l'intermédiaire d'agents de leur choix. Enfin,

4. Ils ne seront assujettis pour leurs personnes ou propriétés, ni pour leurs passeports, permis de séjour ou d'établissement, ni en raison de leur commerce ou de leur

or industry, to any taxes, whether general or local, nor to imposts or obligations of any kind whatever, other or greater than those which are or may be imposed upon native subjects.

ARTICLE XII.

The dwellings and warehouses of the subjects of either of the two High Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto, destined for purposes of residence or commerce, shall be respected. If there should be occasion to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, such measure shall be executed only in conformity with the legal warrant or order in writing of a tribunal, or of the competent authority.

The subjects of either of the two Contracting Parties in the dominions and possessions of the other shall have free access to the courts of justice for the prosecution and defence of their rights. They shall enjoy in this respect the same rights and privileges as subjects of the country, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE XIII.

The subjects of either of the two Contracting Parties in the dominions and possessions of the other shall be at full liberty to acquire, possess, and dispose of every description of property which the laws of the country may permit any foreigners, of whatsoever nation, to acquire and possess. They may acquire and dispose of the same, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, or in any other manner, under the same conditions as are established by the laws of the country for all foreigners. Their heirs and representatives may succeed to and take possession of such property, either in person or by agents acting on their behalf, in the same manner and in the same legal forms as subjects of the country. In the absence of heirs and representatives the property shall be treated in the same manner as the like property belonging to a subject of the country under similar circumstances.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge, than is payable by subjects of the country. In every case the subjects of the Contracting

industrie, à des taxes, soit générales soit locales, ni à des impôts ou obligations de quelque nature que ce soit, autres ni plus onéreux que ceux qui sont ou pourront être établis pour les nationaux.

ARTICLE XII.

Seront respectés les habitations et magasins des sujets de chacune des deux Hautes Parties Contractantes dans les états et possessions de l'autre, ainsi que tous les terrains qui en dépendent, servant soit à la demeure soit au commerce. S'il y avait lieu à faire une perquisition ou visite domiciliaire dans ces habitations et terrains, ou bien à inspecter ou visiter les livres, papiers, ou comptes, il ne sera procédé à une telle mesure qu'en vertu d'un arrêt légal, ou d'un ordre par écrit d'un tribunal, ou de l'autorité compétente.

Les sujets de chacune des deux Hautes Parties Contractantes dans les états et possessions de l'autre auront libre accès dans les tribunaux pour défendre ou poursuivre leurs droits. Ils jouiront, sous ce rapport, des mêmes droits et privilèges que les sujets du pays, et seront, comme ceux-ci, libres de se servir en toute cause de leurs avocats, fondés de pouvoirs, ou agents pris parmi les personnes que les lois du pays autorisent à exercer cette espèce de profession.

ARTICLE XIII.

Les sujets de chacune des deux Parties Contractantes, dans les états et possessions de l'autre, auront pleine liberté d'acquérir, de posséder, et d'aliéner toute espèce de propriété que les lois du pays permettent aux étrangers, de quelque nation que ce soit, d'acquérir et de posséder. Ils pourront en faire l'acquisition et en disposer, soit par achat, vente, donation, échange, mariage, testament, succession *ab intestato*, soit de toute autre manière, sous les mêmes conditions que les lois du pays établissent pour tous les étrangers. Leurs héritiers et ayants cause pourront hériter et prendre possession d'une telle propriété, soit en personne, soit par des agents agissant en leur nom, de la même manière et dans les mêmes formes légales que les sujets du pays.

En l'absence d'héritiers et ayants cause, il sera procédé, à l'égard de la propriété, de la même manière qu'à l'égard d'une propriété semblable appartenant à un sujet du pays et se trouvant dans les mêmes conditions.

Dans aucun des cas précités il ne sera payé, à raison de la valeur de la propriété, d'autres ni de plus forts impôts, droits, ou charges, que ceux que payent les sujets du pays. Dans tous les cas il sera permis aux

Parties shall be permitted to export their property, or the proceeds thereof if sold, freely, and without being subjected on such exportation to pay any duty as foreigners, or any other or higher duties than those to which subjects of the country are liable under similar circumstances.

ARTICLE XIV.

The subjects of either of the two High Contracting Parties in the dominions and possessions of the other, shall be exempted from all compulsory military service whatever, whether in the army, navy, or national guard or militia. They shall be equally exempted from all judicial and municipal charges and functions whatever, as well as from all contributions, whether pecuniary or in kind, imposed as a compensation for personal service; and, finally, from forced loans and military exactions or requisitions.

In regard, however, to judicial and municipal charges and functions, those shall be excepted which are consequent upon the possession of real property or of a lease; and in regard to military exactions and requisitions, those which all subjects of the country may be required to furnish as landed proprietors or as farmers.

ARTICLE XV.

It shall be free for each of the two High Contracting Parties to appoint Consuls-General, Consuls, Vice-Consuls, and Consular Agents, to reside in the towns and ports of the dominions and possessions of the other. Such Consuls-General, Consuls, Vice-Consuls, and Consular Agents, however, shall not enter upon their functions until after they shall have been approved and admitted, in the usual form, by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are or shall be granted there to Consuls of the most favoured nation.

ARTICLE XVI.

Any ship of war or merchant-vessel of either of the High Contracting Parties which may be compelled by stress of weather or by accident to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to

sujets des Parties Contractantes d'exporter librement leur propriété, ou le produit de la vente si elle a été vendue, sans être assujettis, à cause de l'exportation, à payer un droit quelconque comme étrangers, ni en général des droits autres ou plus élevés que ceux auxquels les sujets du pays sont assujettis en pareille circonstance.

ARTICLE XIV.

Les sujets de chacune des deux Hautes Parties Contractantes, dans les états et possessions de l'autre, seront exempts de tout service militaire forcé, soit dans les armées de terre ou dans la marine, soit dans les gardes ou milices nationales. Ils seront également dispensés de toute charge et fonction judiciaire ou municipale quelconque, ainsi que de toute contribution, soit pécuniaire soit en nature, établie à titre d'équivalent du service personnel; enfin, de tout emprunt forcé et de toute prestation ou réquisition militaire.

Seront toutefois exceptées, quant aux charges et fonctions judiciaires ou municipales, celles qui sont attachées à la possession d'un bien fonds ou d'un bail; et quant aux prestations et réquisitions militaires, celles auxquelles tous les sujets du pays peuvent être appelés à concourir comme propriétaires fonciers ou comme fermiers.

ARTICLE XV.

Il sera libre à chacune des deux Hautes Parties Contractantes d'établir des Consuls-Généraux, Consuls, Vice-Consuls, et Agents Consulaires, dans les villes et ports des états et possessions de l'autre. Toutefois, ces Consuls-Généraux, Consuls, Vice-Consuls, et Agents Consulaires, n'entreront en fonctions qu'après avoir été approuvés et admis, dans les formes usitées, par le Gouvernement auquel ils sont envoyés. Ils exerceront toutes les fonctions et jouiront de tous les privilèges, exemptions, et immunités qui appartiennent ou qui pourront appartenir aux Consuls de la nation la plus favorisée.

ARTICLE XVI.

Tout vaisseau de guerre ou navire marchand de l'une des Hautes Parties Contractantes qui sera forcé par des tempêtes ou par quelque accident de se réfugier dans un port de l'autre, aura la liberté de s'y radouber, de s'y pourvoir de tous les objets qui lui seront nécessaires, et de se remettre en mer, sans payer d'autres droits que ceux qui seraient payés en pareil cas par un bâtiment national. Si, cependant, le patron d'un navire marchand se trouvait dans la nécessité de se défaire d'une partie de ses marchandises pour subvenir à ses dépenses,

the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast into the sea, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Russian Consul-General, Consul, or Vice-Consul in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents, shall pay only the expenses incurred in the preservation of the property, together with the salvage, or other expenses, which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of custom, unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XVII.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of either of the High Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from ships of war or merchant-vessels of their respective countries.

ARTICLE XVIII.

The Ionian Islands being under the protection of Her Britannic Majesty, the subjects and vessels of those Islands shall enjoy, in the dominions and possessions of His Majesty the Emperor of Russia, all the advantages which are granted by the present Treaty to the subjects and vessels of Great Britain, as soon as the

il sera tenu de se conformer aux ordonnances et aux tarifs de l'endroit où il aura abordé.

S'il arrivait qu'un vaisseau de guerre ou navire marchand de l'une des Hautes Parties Contractantes échouât ou fit naufrage sur les côtes de l'autre, ce vaisseau ou navire, ainsi que ses débris, ses provisions et gréemens, et tous les biens et marchandises qui en auront été sauvés, y compris ceux qui auraient été jetés à la mer, ou le produit de la vente s'ils étaient vendus, de même que tous les papiers trouvés à bord d'un tel vaisseau ou navire échoué ou naufragé, seront remis aux propriétaires ou à leurs agents sur leur réclamation. Au défaut de propriétaire ou d'agents sur les lieux, cette remise se fera entre les mains du Consul-Général, Consul, Vice-Consul, ou Agent Consulaire Britannique ou Russe, dans le district duquel le naufrage ou échouement aura eu lieu, et ce sur sa réclamation présentée dans le délai que fixent les lois du pays. Les dits Consuls, propriétaires, ou agents, ne payeront que les frais occasionnés par la conservation de la propriété, ainsi que les mêmes droits de sauvetage, et autres, que payerait en pareil cas de naufrage un bâtiment national.

Les biens et marchandises sauvés du naufrage seront exempts de tous droits de douane, à moins qu'ils ne soient admis à la consommation, et dans ce cas ils payeront les mêmes droits que s'ils étaient importés par navire national.

Dans le cas soit de relâche forcée, soit d'échouement ou de naufrage, si le propriétaire ou le patron ou un autre agent du propriétaire n'est pas présent, ou bien s'il est présent et qu'il le demande, les Consuls-Généraux, Consuls, Vice-Consuls, et Agents Consulaires, seront autorisés à intervenir pour prêter l'assistance nécessaire à leurs nationaux.

ARTICLE XVII.

Les Consuls-Généraux, Consuls, Vice-Consuls, et Agents Consulaires de chacune des Hautes Parties Contractantes dans les états et possessions de l'autre, recevront des autorités locales toute l'assistance qui pourra légalement leur être accordée pour la restitution des déserteurs des vaisseaux de guerre ou navires marchands de leurs pays respectifs.

ARTICLE XVIII.

Les Iles Ioniennes se trouvant sous la protection de Sa Majesté Britannique, les sujets et navires des dites Iles jouiront, dans les états et possessions de Sa Majesté l'Empereur de Russie, de tous les avantages que le présent Traité accorde aux sujets et navires de la Grande Bretagne, aussitôt que le Gouvernement des Iles Ioniennes aura déclaré

Government of the Ionian Islands shall have agreed to grant the same reciprocal advantages in those Islands to Russian subjects and vessels; it being understood that, in order to prevent abuses, every Ionian vessel claiming the benefits of the present Treaty shall be furnished with a patent signed by the Lord High Commissioner or his Representative.

ARTICLE XIX.

The stipulations of the present Treaty shall be applicable to all vessels navigating under the Russian flag, without any distinction between the Russian Mercantile Marine, properly so called, and that which belongs more particularly to the Grand Duchy of Finland, which forms an integral part of the Empire of Russia.

In regard to commerce and navigation in the Russian Possessions on the North-West Coast of America, the Convention concluded at St. Petersburg on the $\frac{1}{2}$ ⁶/₈th of February, 1825, shall continue in force.

ARTICLE XX.

The High Contracting Parties being desirous to secure, each within its own dominions, complete and effectual protection against fraud for the manufactures of the other, have agreed that any piracy or fraudulent imitation in one of the two countries of the manufacturers' or tradesmen's marks originally affixed, *bond fide*, to goods produced in the other, in attestation of their origin and quality, shall be strictly prohibited and repressed. Her Britannic Majesty engages to recommend to Her Parliament to adopt such measures as may be required to enable Her to give the more complete execution to the stipulations of this Article.

ARTICLE XXI.

The High Contracting Parties reserve to themselves to determine hereafter, by a special Convention, the means of reciprocally protecting copyright in works of literature and of the fine arts, within their respective dominions.

ARTICLE XXII.

The present Treaty of Commerce and Navigation shall remain in force for ten years from the date of the exchange of the ratifications; and further, until the expiration of twelve months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the High Contracting Parties reserving to itself the right of

vouloir réciproquement accorder les mêmes avantages dans les dites îles aux sujets et navires Russes; et pour qu'il n'y ait pas d'abus, il est entendu que tout navire Ionien qui voudra participer au bénéfice du présent Traité devra être muni d'une patente signée par le Lord Haut Commissaire ou son Représentant.

ARTICLE XIX.

Les stipulations du présent Traité seront applicables à tous les bâtiments naviguant sous pavillon Russe, sans distinction aucune entre la Marine Marchande Russe, proprement dite, et celle qui appartient plus particulièrement au Grand Duché de Finlande, lequel forme une partie intégrante de l'Empire de Russie.

Pour ce qui concerne le commerce et la navigation dans les possessions Russes sur la Côte Nord-Ouest de l'Amérique, la Convention conclue à St. Pétersbourg, le $\frac{1}{2}$ ⁶/₈ Février, 1825, est maintenue en vigueur.

ARTICLE XX.

Les Hautes Parties Contractantes désirant assurer, chacune dans ses propres Etats, une complète et efficace protection contre la fraude, à l'industrie manufacturière de l'autre, sont convenus que toute contrefaçon ou imitation frauduleuse, dans l'un des deux pays, des marques de fabrique ou de métier, primitivement apposées *bond fide* à des marchandises, produits de l'autre pays, pour constater leur origine et leur qualité, sera sévèrement interdite et réprimée. Sa Majesté Britannique s'engage à recommander à son Parlement d'adopter telles mesures qui pourront mettre Sa Majesté à même de faire exécuter de la manière la plus complète les stipulations du présent Article.

ARTICLE XXI.

Les Hautes Parties Contractantes se réservent de déterminer par la suite, dans une Convention spéciale, les moyens de protéger réciproquement dans leurs Etats respectifs, les droits d'auteur pour les œuvres de littérature et des beaux arts.

ARTICLE XXII.

Le présent Traité de Commerce et de Navigation restera en vigueur pendant dix ans à dater de l'échange des ratifications, et au delà de ce terme jusqu'à l'expiration de douze mois après que l'une des Hautes Parties Contractantes aura notifié à l'autre son intention d'en faire cesser l'effet; chacune des Hautes Parties Contractantes se réservant le droit de faire cette notification à

giving such notice to the other at the expiration of the first nine years, or at any time afterwards.

The present Treaty shall be ratified, and the ratifications shall be exchanged at London in six weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at St. Petersburg, this ^{twelfth} day of ^{thirty-first} day of ^{January} in the year of our Lord one thousand ^{nine} hundred and fifty ^{eight}.

JOHN F. CRAMPTON.
(L.S.)

l'autre à l'expiration des neuf premières années, ou à toute époque postérieure.

Le présent Traité sera ratifié, et les ratifications en seront échangées à Londres dans le délai de six semaines, ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs l'ont signé, et y ont apposé le cachet de leurs armes.

Fait à Saint Pétersbourg, ce ^{douze} Janvier ^{treute un} Décembre, ^{mil huit} de l'an de grace mil huit cent cinquante ^{huit}.

PRINCE A. GORTCHACOW.
(L.S.)

SEPARATE ARTICLE I.

The commercial intercourse of Russia with the Kingdoms of Sweden and Norway being regulated by special stipulations, which may hereafter be renewed, and which do not form part of the regulations applicable to foreign commerce in general, the two High Contracting Parties, being desirous of removing from their commercial relations every kind of doubt or cause for discussion, have agreed that those special stipulations granted in favour of the commerce of Sweden and Norway, in consideration of equivalent advantages granted in those countries to the commerce of the Grand Duchy of Finland, shall in no case apply to the relations of Commerce and Navigation established between the two High Contracting Parties by the present Treaty.

SEPARATE ARTICLE II.

It is equally understood that the exemptions, immunities, and privileges hereinafter mentioned, shall not be considered as at variance with the principle of reciprocity which forms the basis of the Treaty of this date, that is to say :—

1. The exemption from navigation dues during the first three years, which is enjoyed by vessels built in Russia, and belonging to Russian subjects;

2. The permission granted to the inhabitants of the coast of the Government of Archangel, to import duty free, or on payment of moderate duties, into the ports of the said Government, dried or salted fish, as likewise certain kinds of furs, and to export therefrom, in the same manner, corn, rope and cordage, pitch, and ravensduck;

3. The privilege of the Russian American Company;

ARTICLE SEPARÉ I.

Les relations commerciales de la Russie avec les Royaumes de Suède et de Norvège étant réglées par des stipulations spéciales, qui pourront être renouvelées dans la suite, sans que les dites stipulations soient liées aux règlements existants pour le commerce étranger en général, les deux Hautes Parties Contractantes, voulant écarter de leurs relations commerciales toute espèce d'équivoque ou de motif de discussion, sont tombées d'accord que ces stipulations spéciales accordées au commerce de la Suède et de la Norvège, en considération d'avantages équivalents accordés dans ces pays au commerce du Grand Duché de Finlande, ne pourront dans aucun cas être invoquées en faveur des relations de commerce et de navigation établies entre les deux Hautes Parties Contractantes par le présent Traité.

ARTICLE SEPARÉ II.

Il est également entendu, que ne seront pas censés déroger au principe de réciprocité qui est la base du Traité de ce jour, les franchises, immunités, et privilèges mentionnés ci-après, savoir :—

1. La franchise dont jouissent les navires construits en Russie, et appartenant à des sujets Russes, lesquels, pendant les trois premières années, sont exempts des droits de navigation;

2. La faculté accordée aux habitants de la côte du Gouvernement d'Archangel, d'importer en franchise ou moyennant des droits modérés, dans les ports du dit Gouvernement, du poisson sec ou salé, ainsi que certaines espèces de fourrures, et d'en exporter de la même manière des blés, cordes et cordages, du goudron, et du ravendouc;

3. Le privilège de la Compagnie Russe Américaine;

4. The immunities granted in Russia to certain English and Netherland Companies, called "Yacht Clubs."

4. Les immunités accordées en Russie à différentes Compagnies Anglaises et Néerlandaises, dites "Yacht Clubs."

SEPARATE ARTICLE III.

The present Separate Articles shall have the same force and validity as if they were inserted, word for word, in the Treaty signed this day. They shall be ratified, and the ratifications thereof exchanged at the same time.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at St. Petersburg, this ^{twelfth day of}
^{January} ~~thirty-first day of~~ ^{December}, in the year of our Lord one thousand eight hundred and fifty ^{nine}
~~eight~~.

JOHN F. CRAMPTON.
(L.S.)

ARTICLE SEPARÉ III.

Les présents Articles Séparés auront la même force et valeur que s'ils étaient insérés, mot à mot, dans le Traité de ce jour. Ils seront ratifiés, et les ratifications en seront échangées en même temps.

En foi de quoi les Plénipotentiaires respectifs les ont signés, et y ont apposé le cachet de leurs armes.

Fait à Saint Pétersbourg, le ^{douze}
^{treize} ~~vingt~~ ^{Janvier} ~~un~~ ^{neuf}
de l'an de grace mil huit cent cinquante ^{huit}.

PRINCE A. GORTCHACOW.
(L.S.)

RUSSIA.

TREATY of Commerce and Navigation between Her Majesty and the Emperor of all the Russias; with three Separate Articles thereunto annexed.

Signed at St. Petersburg, January 12, 1859.

Presented to both Houses of Parliament by Command of Her Majesty. 1859.

LONDON:

PRINTED BY HARRISON AND SONS.

PARLIAMENTARY PAPERS.

L I S T

OF THE

BILLS, REPORTS, ESTIMATES,

AND

ACCOUNTS AND PAPERS,

Printed by Order of the House of Commons,

AND OF

The Papers Presented by Command,

SESSION 1859;

WITH A

GENERAL ALPHABETICAL INDEX THERETO.

17th PARLIAMENT.—3d SESSION.—22° VICTORIA.

3 February - - - - to - - - - 19 April 1859.

Ordered, by The House of Commons, to be Printed,
19 April 1859.

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of COMMONS.

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Printed by Order of the House of Commons,

SESSION 1859,

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3.	- -	Manor Courts, &c. (Ireland) - [Mr. Attorney-General for Ireland and Lord Naas.]	Bill for the Abolition of Manor Courts, and the better Recovery of Small Debts in Ireland -	II. 211.
4.	- -	Highways - - - - - [Mr. Hardy, Mr. Secretary Walpole and Sir William Jolliffe.]	Bill for the better Management of Highways in England - - - - -	I. 755.
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7.	- -	Lunatic Poor (Ireland) - - [Lord Naas and Mr. Attorney-General for Ireland.]	Bill to consolidate and amend the Law relating to the Lunatic Poor in Ireland - - - -	II. 93.
8.	- -	Receivers in Chancery (Ireland) Abolition, &c. [Mr. Attorney-General for Ireland, Lord Naas and Mr. Solicitor-General.]	Bill for the Abolition of Receivers under the Court of Chancery in Ireland in certain Cases, and for giving further Facilities to the Sale of Incum- bered Estates - - - - -	II. 539.
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10.	- -	Endowed Schools - - - - [Mr. Dillwyn and Mr. Massey.]	Bill to amend the Law respecting Endowed Schools - - - - -	I. 713.
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12.	- -	Marriage Law Amendment - [Viscount Bury, Mr. Schneider and Mr. Monckton Milnes]	Bill, intituled, An Act to legalize Marriage with a deceased Wife's Sister - - - - -	II. 269.
13.	- -	Church Rates Abolition - - [Sir John Trelawny, Mr. Dillwyn and General Thompson.]	Bill to abolish Church Rates - - - -	I. 271.
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	1859.			
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20.	- -	Registry of Landed Estates - [Mr. Solicitor-General, Mr. Secretary Walpole and Mr. Attorney-General.]	Bill to establish a Registry of Landed Estates -	II. 595.
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25.	- -	Juries (Ireland) - - - - [Mr. John Fitzgerald, Mr. Monsell and Mr. Bland.]	Bill to consolidate and amend the Laws relating to Juries in Ireland - - - - -	I. 807.
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27.	- -	Newspapers, &c. - - - - [Mr. Ayrton, Mr. Milner Gibson and Mr. Collins.]	Bill to repeal certain Acts and Parts of Acts re- lating to Newspapers, Pamphlets, and other Publications; and to Printers, Typefounders, and Reading Rooms - - - -	II. 343.
28.	- 18.	Medical Act (1858) Amendment [Mr. Secretary Walpole and Mr. Hardy.]	Bill to amend the Medical Act (1858) - -	II. 297.
29.	- -	Lunatic (Care and Treatment) [Mr. Secretary Walpole and Mr. Hardy.]	Bill to amend the Law concerning the Care and Treatment of Lunatics - - - - -	II. 177.
30.	- -	Lunatic Asylums, &c. - - - [Mr. Secretary Walpole and Mr. Hardy.]	Bill to amend the Laws concerning the providing of Lunatic Asylums for Counties and Boroughs and the Maintenance of Pauper Lunatics -	II. 85.

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32.	- -	Sale of Grain, &c. - - - [Mr. M'Cann and Mr. William Brown.]	Bill for the Sale of Grain, Meal, Flour, Butter, and Potatoes, and other Agricultural Produce, by the Pound Avoirdupois, the Score of Twenty Pounds, the Cental of One hundred Pounds, and the Ton of Two thousand Pounds - - - }	II. 725.
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35.	- -	Local Assessments Exemption Abolition. [Mr. Sotherton Estcourt and Sir Stafford Northcote.]	Bill to abolish general Exemption from local Rates - - - -	II. 66.
36.	- -	Poor Law Boards (Payment of Debts). [Mr. Sotherton Estcourt and Mr. Knight.]	Bill to provide for the Payment of Debts incurred by Boards of Guardians in Unions and Parishes and by Boards of Management in School Dis- tricts - - - - }	II. 435.
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39.	- -	Manslaughter - - - - [Mr. Adams, Mr. Smith Child, and Mr. Gard.]	Bill to enable Coroners in England and Wales to admit to Bail Persons charged with the Offence of Manslaughter - - - - }	II. 227.
40.	- -	Evidence by Commission - [Mr. Young, Lord Alfred Churchill, and Mr. Lowe.]	Bill to provide for taking Evidence in Suits and Proceedings pending before Tribunals in Her Majesty's Dominions in Places out of the Juris- diction of such Tribunals - - - - }	I. 721.
41.	- 23.	Church Rates - - - - [Mr. Secretary Walpole, Mr. Chancellor of the Exchequer, and Sir John Pakington.]	Bill for facilitating voluntary Provision for the Purposes to which Church Rates are applicable, and for the Extinction of Church Rates where such Provision is made - - - - }	I. 261.
42.	- 24.	Masters and Operatives - - [Mr. Mackinnon and Mr. Slaney.]	Bill to establish Equitable Councils of Conciliation and Arbitration to adjust Differences between Masters and Operatives - - - - }	II. 283.
43.	- -	High Sheriffs Expenses - - [Mr. Darby Griffith, Mr. Selater Booth, and Mr. Adams.]	Bill to regulate the Expenses to be incurred by Persons serving the Office of High Sheriff in England and Wales - - - - }	I. 751.
44.	- -	Roman Catholic Oath - - - [Mr. John Fitzgerald, Lord John Russell, and Mr. Serjeant Deasy.]	Bill to substitute an Oath for the Oath required to be taken and subscribed by the Statute passed in the Tenth Year of the Reign of King George the Fourth, for the Relief of His Majesty's Ro- man Catholic Subjects - - - - }	II. 717.
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47.	- -	Trial by Jury (Scotland) - [Mr. Dunlop and Mr. Moncreiff.]	Bill to amend an Act of the Seventeenth and Eighteenth Years of Her Majesty, for allowing Verdicts on Trials by Jury in Civil Causes in Scotland to be received, although the Jury may not be unanimous - - - - -	II. 915.
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49.	- 28.	Representation of the People - [Mr. Chancellor of the Exchequer, Lord Stanley, and General Peel.]	Bill to amend the Laws relating to the Representa- tion of the People in England and Wales, and to facilitate the Registration and Voting of Electors	II. 649.
50.	Mar. 1.	Endowed Schools (No. 2) - [Mr. Dillwyn, Sir Richard Bethell, and Mr. Massey.]	Bill for the better Regulation of Endowed Schools	I. 717.
51.	- -	Appeal in Criminal Cases - [Mr. McMahon, Mr. Butt, and Mr. Hadfield.]	Bill to secure the Rights of Appeal in Criminal Cases - - - - -	I. 21.
52.	- -	Petitions of Right - - - [Mr. Bovill, Sir Richard Bethell, and Mr. Macaulay.]	Bill to amend the Law relating to Petitions of Right, to simplify the Proceedings, and to make Provision for the Costs thereof - - -	II. 407.
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54.	- -	Title to Landed Estates - - [Mr. Solicitor-General, Mr. Secretary Walpole, and Mr. Attorney-General.]	Bill to simplify the Title to Landed Estates [as amended in Committee] - - - - -	II. 827.
55.	- -	Registry of Landed Estates - [Mr. Solicitor-General, Mr. Secretary Walpole, and Mr. Attorney-General.]	Bill to establish a Registry of Landed Estates [as amended in Committee] - - - - -	II. 619.
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57.	- -	East India Loan - - - [Mr. FitzRoy, Lord Stanley, and Mr. Chancellor of the Exchequer.]	Bill to enable the Secretary of State in Council of India to raise Money in the United Kingdom for the Service of the Government of India -	I. 647.
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59.	- 4.	Newspapers, &c. - - - [Mr. Ayrton, Mr. Milner Gibson, and Mr. Collins.]	Bill to repeal certain Acts and Parts of Acts re- lating to Newspapers, Pamphlets, and other Publications; and to Printers, Typesetters, and Reading Rooms [as amended in Committee]	II. 347.
60.	- -	Public Offices Extension - [Lord John Manners and Sir Stafford Northcote.]	Bill to make further Provision for enabling the Commissioners of Her Majesty's Works to ac- quire a Site for additional Offices for the Public Service, near Whitehall and Her Majesty's Pa- lace at Westminster - - - - -	II. 459.

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	1859.			
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62.	- -	Remission of Penalties - - - [Mr. Gathorne Hardy and Mr. Adderley.]	Bill to amend the Law concerning the Remission of Penalties - - - - -	II. 645.
63.	- 7.	Highways - - - - - [Mr. Hardy, Mr. Secretary Walpole and Sir William Jolliffe.]	Bill for the better Management of Highways in England [as amended in Committee] - - -	I. 779.
64.	- -	Affidavits by Commission, &c. - [Mr. Bovill, Mr. Hadfield and Mr. Cross.]	Bill to enable the Judges to appoint Commissioners within Ten Miles of London, and in the Isle of Man and the Channel Islands, to administer Oaths in Common Law, and to authorise the taking in the County of Bail in Error, and Recognizances and Bail on the Revenue side of the Exchequer - - - - -	I. 15.
65.	- 8.	Poor Relief (Ireland) Acts Amendment. [Mr. FitzRoy, Mr. Gregory and Lord John Browne.]	Bill to amend the Acts for the Relief of the destitute Poor in Ireland by removing Doubts as to the Religious Registration in Workhouses of deserted Children, and providing for the Out door Maintenance of orphan and deserted Children -	II. 455.
66.	- -	Combination of Workmen - [Mr. Drummond, Mr. Duncombe and Sir Richard Bethell.]	Bill to amend and explain an Act of the Sixth Year of the Reign of King George the Fourth, to repeal the Laws relating to the Combination of Workmen, and to make other Provisions in lieu thereof - - - - -	I. 303.
67.	- -	Law Ascertainment - - - [Mr. Dunlop, Sir Richard Bethell, Mr. FitzGerald, and Mr. Malins.]	Bill to afford Facilities for the more certain Ascertainment of the Law administered in one Part of Her Majesty's Dominions when pleaded in the Courts of another Part thereof - - -	II. 33.
68.	- -	Registration of Births, &c. (Ireland). [Lord Naas and Mr. Attorney-General for Ireland.]	Bill for the Registration of Births, Deaths, and Marriages in Ireland - - - - -	II. 547.
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71.	- -	Law of Property and Trustees Relief Amendment. [Brought from the Lords.]	Bill, intituled, An Act to further amend the Law of Property, and to relieve Trustees [as amended in Committee] - - - - -	II. 51.
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76.	- -	Ecclesiastical Courts and Registries (Ireland). [Brought from the Lords.]	Bill, intituled, An Act for the Union of the Diocesan Courts and Registries in Ireland; for the Regulation of the Mode of Procedure therein, and also in the Metropolitan Courts of Armagh and Dublin; and for Appeals therefrom - - -	I. 677.

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	1859.			
77.	Mar. 17.	Elections, &c. - - - [Mr. Collins, Mr. Bagwell, and Mr. Blackburn.]	Bill to assimilate the Time and Mode of proceeding to Election of Members of the House of Commons in England, Ireland, and Scotland; to limit the Time for proceeding to Election during the Recess; and for vacating Seats by Bankrupt Members of the House of Commons; and for other Election Purposes [as amended in Committee] - - -	I. 709.
78.	- -	Nottingham Charities - - - [Mr. Adderley and Mr. Paget.]	Bill for confirming a Scheme of the Charity Commissioners for Sir Thomas White's Charity, and the Free Grammar School in the Town of Nottingham - - -	II. 351.
79.	- -	Galway Harbour and Port Act (1853) Amendment (Ireland). [Sir Stafford Northcote and Mr. Blackburn.]	Bill to amend the Galway Harbour and Port Act (1853) - - -	I. 747.
80.	- -	Savings Banks (Ireland) Act Continuance. [Sir Stafford Northcote and Mr. Blackburn.]	Bill to continue an Act of the Eleventh and Twelfth Years of Her present Majesty, for amending the Laws relating to Savings Banks in Ireland - - -	II. 783.
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83.	- -	Parliamentary Voters (Ireland) [Mr. Brady and Major Ormsby Gore.]	Bill to amend an Act of the Thirteenth and Fourteenth Years of Her present Majesty, for amending the Laws which regulate the Qualification and Registration of Parliamentary Voters in Ireland, by extending the Time given to the Clerks of the Peace of Counties in Ireland for the publishing of the List of Voters objected to - - -	II. 385.
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85.	- -	Petitions of Right - - - [Mr. Bovill, Sir Richard Bethell and Mr. Macaulay.]	Bill to amend the Law relating to Petitions of Right, to simplify the Proceedings, and to make Provision for the Costs thereof [as amended in Committee] - - -	II. 417.
86.	- 21.	County Prisons (Ireland) - [Lord Naas and Mr. Secretary Walpole.]	Bill for consolidating and amending the Laws relating to County Prisons in Ireland [as amended in Committee] - - -	I. 419.
87.	- -	Patents for Inventions (Munitions of War). [Mr. Attorney-General, Mr. Solicitor General and General Peel.]	Bill to amend the Law concerning Patents for Inventions with respect to Inventions for Improvements in Instruments and Munitions of War - - -	II. 389.
88.	- -	Lunacy Regulation Act (1853) Amendment. [Mr. Solicitor-General and Mr. Secretary Sotheron Estcourt.]	Bill to amend the Lunacy Regulation Act, 1853 -	II. 79.
89.	- -	Common Rights, &c. (War Department). [Mr. Solicitor-General, Mr. Attorney-General, and General Peel.]	Bill to make further Provision for the Purchase of Common and other Rights by Her Majesty's Principal Secretary of State for the War Department, and in relation to Land vested in or taken by such Secretary of State - - -	I. 307.
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91.	1859. Mar. 22.	Poor Law and Medical Charities (Ireland) Act Amendment. [Lord Naas and Mr. Attorney-General for Ireland.]	Bill to amend the Laws in force for the Relief of the Destitute Poor in Ireland, and to amend an Act of the Fourteenth and Fifteenth Years of Her Majesty, providing for the better Distribu- tion, Support, and Management of Medical Charities in Ireland - - - - -	II. 439.
92.	- -	Weights and Measures Act Amendment. [Mr. John Locke, Mr. Hunt and Mr. Adams.]	Bill to amend the Act of the Fifth and Sixth Years of William the Fourth, relating to Weights and Measures - - - - -	II. 923.
93.	- -	Titles to Land (Scotland) - [The Lord Advocate and Mr. Secretary Sotherton Estcourt.]	Bill to extend certain Provisions of "The Titles to Land (Scotland) Act, 1858," to Titles to Lands held by Burgage Tenure; and to amend the said Act - - - - -	II. 853.
94.	29.	Aggravated Assaults - - [Viscount Raynham and Mr. Bentinck.]	Bill to amend the Act, 16 & 17 Vict., for the Pre- vention and Punishment of Aggravated Assaults on Women and Children - - - - -	I. 19.
95.	- -	Cruelty to Animals - - [Viscount Raynham and Sir J. East.]	Bill to amend the Act for the more effectual Pre- vention of Cruelty to Animals - - - - -	I. 589.
96.	- 30.	Married Persons (Scotland) - [Mr. Moncreiff and Mr. Dunlop.]	Bill to amend the Law of Scotland in regard to the Relationship of Husband and Wife - - -	II. 273.
97.	- -	Public Offices Extension - [Lord John Manners and Sir Stafford Northcote.]	Bill to make further Provision for enabling the Commissioners of Her Majesty's Works to ac- quire a Site for additional Offices for the Public Service, near Whitehall and Her Majesty's Palace at Westminster [as amended by the Select Committee] - - - - -	II. 465.
98.	April 4.	Belfast Borough - - - [Lord Naas and Mr. Attorney-General for Ireland.]	Bill for carrying into effect the Report of the Commissioners appointed to inquire into the State of the Municipal Affairs of the Borough of Belfast - - - - -	I. 203.
99.	- 6.	Railway Tickets Transfer - [Brought from the Lords.]	Bill, intituled, An Act for preventing the Abuse of Return Tickets on Railways - - - - -	II. 531.
100.	- -	Westminster New Bridge - [Lord John Manners and Sir Stafford Northcote.]	Bill to empower the Commissioners of Her Ma- jesty's Works and Public Buildings to acquire additional Space for the Western Approach to Westminster New Bridge - - - - -	II. 927.
101.	- -	Local Government Supple- mental. [Mr. Gathorne Hardy and Mr. Secretary Sotherton Estcourt.]	Bill to confirm certain Provisional Orders under the Local Government Act (1858) - - - - -	II. 69.
102.	- -	Pauper Maintenance Act Con- tinuance. [The Earl of March and Sir Stafford Northcote.]	Bill to continue the Act for charging the Mainte- nance of certain Paupers upon the Union Funds	II. 397.
103.	- -	Naval Medical Supplemental Fund Annuities, &c. Act Continuance. [Mr. Corry and Mr. Lygon.]	Bill to continue the Act for the Regulation of the Annuities and Premiums of the Naval Medical Supplemental Fund Society - - - - -	II. 339.
104.	- 7.	Lunatic Poor (Ireland) - - [Lord Naas and Mr. Attorney-General for Ireland.]	Bill to consolidate and amend the Law relating to the Lunatic Poor in Ireland [as amended by the Select Committee] - - - - -	II. 135.
105.	- -	Confirmation and Probate Act (1858) Amendment. [The Lord Advocate, Mr. Attorney-General and Mr. Secretary Sotherton Estcourt.]	Bill to amend the "Confirmation and Probate Act, 1858" - - - - -	I. 313.

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107.	- 12.	Vexatious Indictments - - [Brought from the Lords.]	Bill, intituled, An Act to prevent Vexatious In- dictments for certain Misdemeanors - -	II. 919.
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L I S T

OF THE

REPORTS, ESTIMATES, AND ACCOUNTS AND PAPERS,

Printed by Order of The House of Commons,

SESSION 1859,

IN THEIR NUMERICAL ORDER.

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70.	- 18.	East India - - - - -	Estimate of Receipts and Disbursements of the Home Treasury of the Secretary of State for India, from 1 May 1859 to 30 April 1860 - -	XIX. 1.
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95.	- 28.	Lunatic Asylums (Ireland) Commission. [Mr. John Fitzgerald.]	Communication of Dr. Corrigan, one of the Commissioners, assigning his Reasons for dissenting from a Portion of the Report of the Commissioners of Lunatic Asylums, Ireland - - -	XXII. 203.
96.	- 28.	Re-committal of Prisoners - [Mr. Drummond.]	Letter from the Governor of Wandsworth House of Correction to the Secretary of State for the Home Department, under the direction of the Visiting Justices of that Prison, dated 19 January 1859, relating to the Re-committal of Prisoners under the Criminal Justice Act - - -	XXIV. 551.
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102.	- 1.	Education Grants (Scotland) - [Viscount Melgund.]	Return, for the Year 1857, of the Names of the Places in each Parish and each County in Scotland, in which any School is situated in respect of which any Money has been paid under the Authority of the Committee of Council on Education, stating the Amount paid for each Parish and each County respectively, &c. - - -	XXI.-Part II. 19.
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105.	- 2.	Corn and Grain - - - [Mr. Caird.]	Accounts of the different varieties of Corn and Grain, Flour and Meal, imported into the United Kingdom in 1858, showing the Countries whence the same were brought, and the Quantities from each, in 1858; of the Quantities of Wheat and Wheat Flour Imported during each of the Six Years ended with 1858, and the Quantities of Wheat and Wheat Flour, Barley and Barley Meal, &c., entered for Home Consumption in the United Kingdom during the same Period -	XXV. 251.
106.	- 2.	Court for Divorce and Matrimonial Causes.	Return of the Rules and Regulations concerning the Practice and Procedure, or fixing or regulating Fees made by the Court for Divorce and Matrimonial Causes, together with the Return of all Fees and Monies levied in the Year ended 31 December 1858; also, Return of the Annual Salaries of the Judge Ordinary, and of Persons holding Offices in the said Court - - -	XXII. 71.
107.	- 2.	Galway Harbour - - - [Mr. Corry.]	Report lately made to the Admiralty by Captain Washington, R. N., Captain Vetch, R. E., and Mr. Barry Gibbons, C. E., on the Capabilities and Requirements of the Port and Harbour of Galway - - - - -	XXV. 325.
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109.	- 4.	African Mails - - - [Mr. Wilson.]	Correspondence and Treasury Minute in relation to New Contracts for Conveyance of the African Mails, and especially in relation to the Change by which the Port of last Departure and first Arrival has been changed from Plymouth to Liverpool - - - - -	XIV. 203.
110.	- 4.	East India (Oude Proclamation) [Mr. Cardwell.]	Answer of the Governor-General of India to the Secret Despatch of 19th April 1858, with Reply from the Secretary of State, and subsequent Correspondence on the subject; also, of Her Majesty's gracious Proclamation to the Princes, Chiefs and People of India - - - - -	XVIII. 283.
111.	- 7.	Slave Trade (Zanzibar) - - - [Mr. Kinnsaird.]	Letters of the Government of Bombay to Her Majesty's Secretary of State for India, or the Court of Directors, forwarding Letters written in August and September 1858, by Captain Rigby, the Company's Agent at Zanzibar, on the subject of the Slave Trade at Zanzibar and along the Mozambique Coast - - - - -	XXVII. 1.

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112.	1859. Mar. 7.	Population, &c. of Parishes - [Mr. Knight.]	Summary of Return, No. 63, of Session 1858, being a Return in respect of each Parish or part of Parish in England and Wales, not within the limits of any City or Parliamentary Borough, for the Year ended at Lady-day 1856, of the Name, Population (Census 1851), Gross Estimated Rental of the Property assessed to the Poor Rate, Rateable Value, Number of Persons rated, and Number of Electors on the Parliamentary Register.—The preceding Particulars summarised, so as to show the separate Totals for each County Division, and for each County, &c. - - - - -	XXIII. 185.
113.	- 8.	Houses, &c. - - - - [Mr. Ayrton.]	Return of Amount of Duty charged in the Metropolitan Districts, and for the rest of England and Wales, on Houses, the Duty and Licences for Hackney Carriages and Stage Carriages, and the Licences and Duty on Carriages and Horses let for Hire, for the Year ended the 5th April 1858 - - - - -	XXIII. 161.
114.	- 8.	Army (Purchase of Commissions) [Sir De Lacy Evans.]	Treasury Minutes of Letters of 20th July 1857, 13th March and 21st June 1858, and 21st January 1859, and Correspondence connected with them relative to increasing the Remuneration -	XV. 43.
115.	- 8.	Grand Jury Presentments (Ireland), [By Act.]	Abstract of Accounts of Presentments made by the Grand Juries of the several Counties, Cities and Towns in Ireland, in the Year 1858 - -	XXIII. 451.
116.	- 8.	Coal - - - - [Mr. Liddell.]	Report of Messrs. Miller and Taplin on the Evaporative Power and Economic Value of Hartley Coal, and of a similar Report by the same Gentlemen, on the Properties of Welsh Steam Coal, presented to the Board of Admiralty - -	XXV. 209.
117.	- 8.	Hops, &c. - - - - [Mr. Dodson.]	Returns of the Number of Cwts. of Hops exported and imported, the Number of Cwts. of Foreign Hops charged with Duty for Home Consumption, and the Amount of Drawback paid upon British Hops exported, in each Year from 1837 to 1858; and of the Number of Acres of Land under Cultivation for Hops, and Amount of Duty charged in each Collection, from 1837 to 1858, &c. - - - - -	XXV. 255.
	- 8.	Hop Duties - - - - [Sir John Shelley.]	Continuation of Return relative to Hop Duties of Session 1852-53, No. 96, to the present Time, and the Rate of Duty charged per Cwt. upon British and upon Foreign Hops in each of such Years - - - - -	XXV. 255.
118.	- 8.	Poor Rates - - - - [Mr. Tite.]	Return (to be prepared from the most recent particulars readily accessible, and to be restricted to a County Summary) of the Number of Persons in each County and Division of a County in England and Wales assessed to the Poor Rate in respect of Property of the Annual Rateable Value per £., from £. 1 to £. 50 and upwards, respectively, together with the Gross Number of Persons assessed to such Rate in each County or Division of a County, and of the Number of separate Tenements or Holdings in the above-mentioned Rate in respect of which the Owners are rated instead of the Occupiers under the Small Tenements Act, or any other General or Local Act, of the several Annual Rateable Values above-mentioned - - - - -	XXIII. 219.

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119.	1859. Mar. 8.	Fishery Piers and Harbours (Ireland.) [Lord John Browne.]	Return of the Expenditure of two Sums of £. 50,000 and £. 40,000, granted by the Acts 9 Vict. c. 3, and 10 & 11 Vict. c. 95, for the Improvements of Fishery Piers and Harbours in Ireland, specifying for what Work each Grant has been made, with the Name of the County in which it is situated, &c. - - - - -	XXV. 323.
120.	- 8.	Enfield Establishment - -	Return showing the Total Cost and Total Production of the Enfield Establishment, from the Period of Reconstruction in 1854 - - -	XV. 375.
121.	- 9.	Population, &c. - - - [Mr. Bright.]	Return, showing, <i>inter alia</i> , the Population of each County and Division of a County, and of each Borough, according to the Census of 1841, "and the Computed probable Population on the Completion of the Eighth Year since the last Census, namely, on 23d [31st] March 1859; the Computation to be made from a Comparison of the most recent and authentic Materials in the hands of the Registrar-General; and, in Cases where no other Materials exist, the Computation to be made according to the Ratio of the ascertained Annual Increase or Decrease, as the case may be, between the Population in 1841 and 1851 - - - - -	XXIII. 189.
122.	- 10.	Woods, Forests, &c. - - [Mr. Wilson.]	Return of the Gross and Net Income of the Woods, Forests, and other Crown Property in each Year from 1816 to 1858, both inclusive, and showing the Sums of Money Expended in each Year, for General, Current, and Ordinary Costs of Management, and for Improvements; also, an Account of all Sums received in each Year for the Sale of Crown Properties and placed to Capital Account, &c. - - - - -	XIV. 365.
123.	- 10.	Property and Income Tax - [Mr. Bright.]	Return, showing the Amount of Property and Income Tax, under Schedules (A.) (B.) (D.) and (E.), charged in each Borough within the United Kingdom, and in each County and Division of a County, separately from the Boroughs within the same, and also the Total Amount under the said Schedules in each Case, for the Year ending 5 April 1857, &c. - - -	XXIII. 231.
124.	- 10.	Duchy of Lancaster - -	Account of the Receipts and Disbursements of the Duchy of Lancaster in the Year ended 21 December 1858:—Also, a separate Account of the Capital of the said Duchy for the same Period -	XIV. 105.
125.	- 11.	East India (Mr. Hudson, &c.) [Mr. Ayrton.]	Correspondence, Minutes and Orders of the late Court of Directors and the Board of Control, the Government of India, the Government of Bombay, the Political Agent of Rajpootana, the Magistrate and Superintendent of Police at Bombay, and the Depositions taken by them respecting the Departure of Mr. Hudson, Syed Uckber Ally and Khirat Allie Khan from England, and their Arrest and Detention, and Discharge from such Arrest in Bombay, &c. -	XVIII. 73.
126.	- 11.	British Museum - - - [Sir Stafford Northcote.]	Communications made by the Officers and Architect of the British Museum to the Trustees, respecting the want of Space for exhibiting the Collections in that Institution, as well as respecting the Enlargement of its Buildings; and of all Minutes of Trustees, and of all Communications between the Trustees and the Treasury - - - - -	XIV. 51.
126-I.	- 11.	Plan - - - - -	Pages 22 to 24 of the Return relating to the British Museum, delivered on 16 March 1859 -	XIV. 51.

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127.	Mar. 11.	Exchequer Bills - - -	Account of all Exchequer Bills raised, or authorized to be raised, charged on the Aids or Supplies of 1859, unprovided for - - - - -	XIV. 1.
128.	- 11.	Estimates (Revenue Departments).	Estimates, Revenue Departments, for the Year 1859, ending 31 March 1860 - - - - -	XIV. 751.
129.	- 14.	Chelsea New Bridge - - [Sir John Shelley.]	Return of the Amount of Tolls Collected at Chelsea New Bridge, from 29 March 1858 (the day of opening the Bridge) to 8th August in that Year (when the Foot Toll was remitted on Sundays), and the Amount of Tolls Received from that Date to 1 February 1859 - - - - -	XIV. 79.
130.	- 14.	Tonnage and Pilots (London) - [Mr. James White.]	Returns of the Total Amount of Tonnage Entering into and Departing from the Port of London in the Years 1750, 1800 and 1857:—And of the Number of Pilots authorised to act in and for the Port of London in the Years 1750, 1800, 1808, and 1857 - - - - -	XXV. 547.
131.	- 15.	East India Mortality at Dumdum. [Mr. Sidney Herbert.]	Reports and Correspondence which have been received in the Department of the Secretary of State for War, or the Secretary of State for India, on the Subject of the Mortality which occurred in the Year 1858 among the Women and Children quartered in the Barrack at Dumdum in the Presidency of Bengal - - -	XIX. 275.
132.	- 15.	East India (Governor General) [Sir De Lacy Evans.]	Despatch from Lord Canning, Governor General of India, dated from Allahabad, vindicating his Council in India, in respect to certain unfavourable Comments made on their Conduct in this Country - - - - -	XVIII. 281.
133.	- 15.	East India (Mutiny) - - -	Return of the Name or Number of each Regiment and Regular and Irregular Corps in India which has Mutinied, or manifested a disposition to Mutiny since 1 January 1857; of the Number of Officers and Men present with each Regiment and Corps at the Outbreak of the Mutiny; of the Date of the First Intimation received by any Officer of the Regiment or Corps being disposed to Mutiny, and of the Date when Information thereof was received by the Governor General of India or the Governor of Bombay, &c. -	XVIII. 1.
134.	- 15.	Army (General Officers) - [Colonel North.]	General Order, No. 432, dated Horse Guards, 25 April 1826; and a Nominal Return of those Officers, stating the Length of Service, who obtained Promotion upon Half Pay under the Provisions of that General Order, who have since become General Officers, and are receiving only the Half Pay of their Regimental Rank in place of 1 <i>l.</i> 5 <i>s.</i> a day, the unattached Pay of a General Officer - - - - -	XV. 169.
135.	- 15.	Chaplains, &c. (Army) - [Mr. Spooner.]	Account in detail of the Expenditure of £.19,732, Commissioned Chaplains, distinguishing Protestant and Roman Catholics: Similar Account of £.17,640, Officiating Clergymen at Home and Abroad: Detailed Account of the Religious Books, for the Distribution of which £.2,000 is asked; and showing the Cause of the Increase of £.7,000 for the present Year under the Head of Divine Service - - - - -	XV. 345.
136.	- 15.	Foreign Office - - - [Sir George Lewis.]	Report of Mr. John Phipps on the State of the Buildings now occupied as the Foreign Office, dated the 12th day of January 1859 - - -	XIV. 113.

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137.	1859. Mar. 15.	Seamen Deserted - - - [Sir Charles Napier.]	Return of the Number of Seamen who Deserted, from the 1st day of January 1854 to the 31st day of December 1857, and the Amount of Wages Forfeited to the Crown - - -	XV. 445.
138.	- 16.	Postal, &c. Communication (England and Ireland.) [Mr. Ormsby Gore.]	Contracts entered into by the Government for improving the Postal and Passenger Communica- tion between England and Ireland <i>via</i> Holyhead	XIV. 177.
139.	- 17.	Malt - - - - [Mr. John Locke.]	Account of the Total Number of Quarters of Malt made in the United Kingdom from the 1st October 1857 to 1st October 1858, distinguish- ing the Quantity made and the Quantity used by Brewers, by Victuallers, and by Retail Brewers in each Country (in continuation of Parl. Paper, No. 338, of Sess. 1858) - -	XXV. 283.
140.	- 18.	Electors - - - - [Mr. Western.]	Return of the Number of Electors in every County, Division of a County, City and Borough in Great Britain, according to the Register of Electors now in force - - - -	XXIII. 139.
140-I.	- 18.	Ditto - - - -	Return of the Number of Electors in every County, Division of a County, City and Borough in Ireland, according to the Register of Electors now in force - - - -	XXIII. 145.
141.	- 18.	Constituencies - - - [Mr. Blackburn.]	Return of the Names of all Constituencies in England and Scotland, Classified, with Columns showing the Annual Value of Real Property Rated under Schedule (A.), the Population by the Census of 1851, Number of Voters, and Number of Members for each Constituency -	XXIII. 147.
142.	- 18.	Chronometers - - -	Copies of the several Applications that have been made to the Board of Admiralty, the Hydro- grapher, and the Astronomer Royal, since the 20th day of December 1852, for Pecuniary Rewards on account of Improvements made in Chronometers:—And, List of the several Chro- nometers that have been placed on the Govern- ment Trials at the Royal Observatory at Green- wich, arranged in their order of Merit, and distinguishing those Chronometers that have been purcha-ed by the Board of Admiralty, with the Prizes awarded for them (in continua- tion of Parl. Paper, No. 69, of Session 1852-3)	XV. 575.
143.	- 18.	East India (Lands in Enam) - [Sir Erskine Perry.]	Despatches from the Government of Madras, in so far as they relate to the Resumption of Lands held in Enam of the date of 15 January, 6 February, and 1 July 1857, 8 January and 15 May 1858, and of the Reply of the Court of Directors, dated 1 September 1858 - - -	XVIII. 501.
144.	- 18.	Immigrants and Liberated Africans. [Mr. Moffatt.]	Return showing the Number of Immigrants and Liberated Africans admitted into each of the British West India Colonies and Mauritius, as well as the Places from whence they were introduced, for each Year since 1847 - -	XVI. 535.
145.	- 21.	Registered Electors (Maryle- bone.) [Lord Elcho.]	Number of Electors in the Borough of Maryle- bone, and Total Number that Polled at the recent Election in 1859 - - - -	XXIII. 159.
146.	- 21.	British Columbia - - - [Sir William Dunbar.]	Returns of all Appointments, Civil, Military, and Ecclesiastical, made or authorised by the Home Government to the Colony of British Columbia, stating the Names of Persons appointed, the Dates of their Appointment, and the Salaries in each Case, and of any other Charges connected with the Colony, authorised by the Home Go- vernment - - - -	XVII. 109.

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147.	1859. Mar. 22.	Lunatic Asylums (Ireland) -	Copy of a Letter addressed to the Chief Secretary for Ireland by Dr. Nugent, Inspector of Lunatic Asylums, in reply to Statements in the Report of the Commissioners of Inquiry into Lunatic Asylums in Ireland:—Returns showing the Date of the First Publication of such Letter:—And, showing the Date at which the First Issue of the Commissioners' Report was made, by whom made, and the Number of Copies then Circulated -	XXII. 209.
148.	- 22.	National Education (Ireland) -	Number of Pupils on the Rolls for the Quarter ended 31st of March 1858; Number of Literary and other Teachers and Workmistresses in all Irish National Schools, specifying the Number of each Religious Denomination, with the Amount Paid as Salary during the Year ended 31st March 1858; Number of Managers of each Religious Denomination on the 31st of March 1858; Names of Officers in the Board's Service in receipt of Salaries or Emoluments; Names of the Commissioners of National Education in Ireland, with the Number of Attendances made by each at Meetings; Titles of Books published; Portions of the General Report of 1855, by Mr. Keenan, Head Inspector, as bear upon the Practice of Religious Instruction in the National Schools then under his Inspection -	XXI.—Part II. 377.
149.	- 22.	War Department - - - [Mr. Macartney.]	Copy of an Order in Council passed on the 2d February 1857, varying the Civil Establishment of the War Department as fixed by the Orders in Council, bearing date 6 June 1855, whereby the Office of Deputy Assistant Secretary at War was Abolished, and Colonel Mundy removed from his Office; and of Treasury Minute, dated 11 April 1857, granting a Pension of 1,000 <i>l.</i> a year to Colonel Mundy for loss of Office, &c. -	XV. 393.
150.	- 22.	Deserted Children (Ireland) - [Mr. John Greene.]	Application of the Chaplain of Urlingford Workhouse in the Year 1854, for two Deserted or Foundling Children therein, namely, John and Richard Fatunati, and the Reply or Resolution of the Board of Guardians thereto; of all subsequent Letters that passed between the Poor Law Commissioners and the said Board relating to those Children; of Opinions of the then Attorney-General and Solicitor-General on the case; and of the Judgment of the Court of Queen's Bench on the Mandamus issued against the said Board of Guardians - - - -	XXIV. 641.
151.	- 22.	Ditto - - - - [Mr. Gregory.]	Opinions given by Her Majesty's Law Advisers on the subject of the Religious Registration of Deserted Children in Ireland - - - -	XXIV. 659.
152.	- 23.	Highland Roads and Bridges - [By Act.]	Forty-fifth Report of the Commissioners appointed for the purposes of an Act passed in the 59th Year of the Reign of his late Majesty King George the Third, intituled, "An Act to repeal Two Acts, made in the fifty-fourth and fifty-fifth Years of his present Majesty, for maintaining and keeping in Repair certain Roads and Bridges in Scotland; to provide more effectually for that Purpose, and for Regulation of Ferries in Scotland" - - - -	XIII. 1.
153.	- 23.	Population, &c. - - - [Mr. Byng.]	Return of the Population and Number of Houses according to the Census of 1851, in each of the Places named in Schedule I. in the Representation of the People Bill, in the Parishes of Chelsea, Kensington, and Hammersmith, respectively; of the Number of Persons rated to the Poor at 10 <i>l.</i> and upwards, and the Number of Persons rated to the Poor at 6 <i>l.</i> and upwards, in each of such Places, &c. - - - -	XXIII. 201.

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155.	- 23.	Queen Anne's Bounty - - [Mr. Spooner.]	Account of all Fees, Allowances, Gratuities, Perquisites, and Emoluments paid to the Treasurer of the Governors of the Bounty of Queen Anne, under the Second Section of the Act 10 & 11 Vict. c. 98, during each Year since the passing of the said Act - - - - -	XX. 603.
156.	- 23.	Universities (Scotland) - -	Copies of Two Ordinances by the Scottish Universities Commissioners, with reference to the Universities of Aberdeen and Edinburgh - -	XXI. Part II. 429.
157.	- 24.	Greenwich Union - - -	Complaints against Dr. Arthur, Medical Officer of the Deptford District of the Greenwich Union, with Correspondence - - -	XXIV. 595.
158.	- 25.	Militia - - - - -	Returns of the Number of Volunteers given by each Regiment of Embodied Militia to the Regular Army, during the Year 1858; distinguishing the Number of Men who Volunteered in the Spring and Autumn of that Year:—And, of the Highest Number of Effectives in each of the above Regiments during the Year 1858, and the Total Number of Volunteers given by each Regiment to the Regular Army, from the 1st day of January 1858 to the 5th day of February 1859; showing also in each case the relative Proportion of the Volunteers so given to the above-mentioned Effectives - - -	XV. 401.
159.	- 25.	Population, Revenue, &c. -	Return of the present Estimated Population of England, Scotland, and Ireland, respectively, according to the most recent Data possessed by the Registrar-General; and the Total Amount of Revenue derived from Taxation of England, Scotland, and Ireland, respectively, for the Two Years ending the 31st day of December 1858, under the Departments of Inland Revenue, Customs, and Post Office, respectively; showing, also, the Number of Representatives which each of these Divisions of the United Kingdom would have, if the 654 Members of the House of Commons were allotted to them:—1. Proportionately to such Population; 2. Proportionately to such Revenue; and 3. Proportionately to the mean of such Population and Revenue - -	XXIII. 183.
160.	- 25.	Hull Citadel - - - - [Mr. Clay.] [Sir Stafford Northcote.]	Letters that have passed between the 26th of June 1858 and the present time, between the Secretary of State for War, or the Commissioners of Woods and Forests and the Park and Recreation Grounds Committee, in reference to the Site of the Citadel of Hull - - - Correspondence that has passed since 26th of June 1858, between the Corporation of Kingston-on-Hull and the Lords of the Treasury, as to Hull Citadel; also, Correspondence with reference to the Sale of the Citadel Site, Hull, between the Hull Dock Company and the War Department, and the Office of Woods and Forests -	XXV. 337.
161.	- 25.	Landed Estates Court (Ireland)	Return of the Salaries of the Judges and other Officers of the Landed Estates Court in Ireland, and of the Compensations allotted to the several Retired Officers of the Incumbered Estates Court, under the Statute 21 & 22 Vict. c. 72 - - - - -	XXII. 165.
162.	- 25.	East India (King of Delhi) -	Copy of the Evidence taken before the Court appointed on the Trial of the King of Delhi -	XVIII. 111.

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165.	- 28.	Public Offices - - - -	Account of all Allowances or Compensations granted as Retired Allowances or Superannuations in all Public Offices or Departments, which remained payable on the 1st January 1858; the Annual Amount which was granted in the Year 1858; the Annual Amount which ceased within the Year; and the Total Amount remaining payable on the 31st December 1858 - - - -	XIV. 281.
166.	- 29.	Boundaries of Boroughs - -	Return showing, from the Ordnance Surveys and the Reports of the Commissioners respecting the Boundaries of Boroughs in 1832, the Area in Square Miles of each Borough returning or con- tributing to return Members to serve in Parlia- ment, as they existed before 1832; also, the Area in Square Miles, under the Act passed in 1832 for extending the Boundaries; and the Area in Square Miles of each Parliamentary Borough created in 1832; Return of the Area in Square Miles of each Borough returning or contributing Members to serve in Parliament, as they existed before 1832; also the Area in Square Miles under the Act passed in 1832 for extending the Boundaries; and the Area in Square Miles of each Parliamentary Borough created in 1832 -	XXIII. 121.
167.	- 29.	National Education (Ireland) - [Mr. Sullivan.]	Returns of the Name, Parish, and City or County, of all Model Farms and Agricultural Schools connected with the Commissioners, the Date of Connexion, the Extent of Land for Agricultural Purposes under each, &c.; of the Number of Pupils on the Roll at each Agricultural School, for the Quarter ending 31 March 1858; of the Number of Resident Agricultural Boarders at present in each School - - - -	XXI. Part II. 393.
168.	- 29.	Queen's Colleges (Ireland) - [Mr. Monseil.]	Returns of the whole of the Expenditure paid out of the Consolidated Fund, or by Annual Votes of Parliament, for the Erection of the Queen's Colleges in Ireland, and for the Annual Support and Endowment of the same, including also the Queen's University, for each Year since their Foundation - - - -	XXI. Part II. 415.
169.	- 30.	Proprietors (Scotland) - -	Return of the Number of Proprietors on the Valu- ation Roll of each County or Burgh, or Parlia- mentary Combination of Counties or Burghs, in Scotland, having Property under 10 £. but not under 5 £. of Annual Value - - - -	XXIII. 261.

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170.	1859. Mar. 30.	Literary, &c. Institutions - [Mr. Cowper.]	Return of the Names and Locality of all the Literary, Scientific, and Artistic Institutions which have obtained from the Certifying Barrister, or from the Lord Advocate, Certificates of Exemption from Local Rates, under the Act 6 & 7 Vict. c. 36 - - - - -	XXIII. 269.
171.	- 30.	Poor Rates - - - - -	Return, in extension of the Return, No. 118, of the present Session, relative to Poor Rates, so far as it relates to Occupiers; of the Number of Persons rated to the Relief of the Poor in the several Represented Cities and Boroughs in England and Wales; together with the Population and the present Number of Registered Electors in each City and Borough - - - - -	XXIII. 203.
172.	- 30.	Army (Purchase and Sale of Commissions).	Copy of Proceedings of a War Office Committee on what is therein termed "Sir C. Trevelyan's Scheme in Relation to Army Purchase and Sale of Commissions;" and of which the Table of Contents commences with "Questions to be determined, page 3," and terminates with the words, "Summary of Statements relative to Indian Army, page 99" - - - - -	XV. 69.
173.	- 30.	Army (Purchase and Sale of Commissions).	Copy of the Data and Calculations upon which Sir Charles Trevelyan founded the Statements upon which the War Office Committee was called upon to report their Opinion to the Secretary of State; and upon which he founded the Statements contained in his Letter to the Secretary of State, in answer to the Report of the Committee - - - - -	XV. 123.
174.	- 30.	Brewers, &c. - - - - - [Mr. John Locke.]	Account of the Number of Persons in each of the several Collections in the United Kingdom Licensed as Brewers, Victuallers to Sell Beer to be drunk on the Premises, and to Sell Beer not to be drunk on the Premises, from 10 October 1857 to 10 October 1858; and the Number of Barrels of Beer Exported from the United Kingdom, and the Declared Value thereof, and where Exported to, from 1 October 1857 to 1 October 1858, distinguishing England, Scotland, and Ireland - - - - -	XXV. 177.
175.	- 30.	Hops - - - - - [Mr. John Locke.]	Account of the Number of Acres of Land under Cultivation for Hops in 1858, and the Amount of Duty Charged in each Collection of the Growth of 1858; also, Returns of the Quantity of British and Foreign Hops Exported from the United Kingdom to Foreign Countries: of the Quantity of Foreign Hops imported into the United Kingdom, and of the Total Number of Pounds Weight of Foreign Hops Charged with Duty for Home Consumption, from 1 January to 30 June and from 1 July to 31 December 1858; also, of the Quantity of Foreign Hops in Bond on 1 January 1859 - - - - -	XXV. 267.
176.	- 30.	Decimal Coinage - - - - -	Copy of the Minutes of the Proceedings, from the 1st day of May 1857, of the Commissioners to inquire into the subject of Decimal Coinage -	VIII. 421.
177.	- 30.	Coal Mines - - - - - [Mr. Ingham.]	Number and Names of Inspectors of Coal Mines for England, Wales, and Scotland, with their respective Salaries, and the Districts for which they act; Number of Coal Mines within such several Districts respectively, and of the Visits of Inspectors in every such District since 18 & 19 Vict. c. 108; also Returns relating to Accidents - - - - -	XXV. 183.

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178.	1859. April 4.	Belfast Lunatic Asylum - - [Mr. Davison.]	Correspondence which passed between the Lord Lieutenant of Ireland and the Governor of the Belfast District Lunatic Asylum, relating to certain alleged Errors in the Report of the Commissioners of Inquiry into the State of the Lunatic Asylums of Ireland regarding the Belfast Asylum	XXII. 237.
179.	- 4.	Exchequer Bonds - - -	Account of Exchequer Bonds payable in the Year 1859, and unprovided for - - -	XIV. 3.
180.	- 4.	Navy (Alteration of Ships, &c.)	Report of the Surveyor of the Navy respecting the alleged unnecessary Alterations of Her Majesty's Ships during the last Eleven Years, and on the Votes Nos. 8 and 9 and 10 of the Navy Estimates during the same period - - -	XV. 505.
181.	- 4.	Navy (Navy Estimates) - - [By Command.]	Statement of the Sums required to be voted on Account towards defraying the Charges for Navy Services which will come in course of Payment during the Year ending the 31st day of March 1860 - - -	XIV. 699.
182.	- 4.	Navy Estimates - - - [By Command.]	Report of a Committee appointed by the Treasury to inquire into the Navy Estimates from 1852 to 1858, and into the Comparative State of the Navies of England and France - - -	XIV. 703.
183.	- 4.	Marine Engines - - -	Report to the Lords Commissioners of the Admiralty by the Committee on Marine Engines, with Replies by the Surveyor of the Navy -	XV. 517.
184.	- 4.	Army (Army Estimates, 1859-60) [By Command.]	Statement of the Sums required to be Voted on Account towards defraying the Charges for the following Army Services, which will come in course of Payment during the Year ending the 31st day of March 1860 - - -	XIV. 587.
185.	- 4.	Revenue Departments - - [By Command.]	Estimates for the Revenue Departments, 1859-60 :—Estimate of the Sums required to be Voted on Account, for the Year ending 31 March 1860 -	XIV. 847.
186.	- 4.	Civil Services - - - [By Command.]	Estimates for Civil Services, 1859-60 :—Estimate showing the Civil Services for which Votes on Account are required for the Year ending 31 March 1860 - - -	XIV. 849.
187.	- 4.	East India (Financial Despatches) [By Command.]	Copies of Financial Despatch from India, dated 22 January 1859, No. 28 ; and of Financial Despatch to India, dated 31 March 1859, No. 26	XIX. 11.
188.	- 5.	Weights and Measures - - [Mr. Gathorne Hardy.]	Letter from the Comptroller General of the Exchequer to the Secretary of State for the Home Department, dated 9th February 1859, and of the enclosed Copy of a Report from the Astronomer Royal, on the Subject of Weights and Measures - - -	XXV. 291.
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190.	- 5.	East India (Finance) - - [Mr. Wilson.]	Account of the Receipts and Disbursements of the Home Treasury of the Government of India, from 1 May 1858 to 30 April 1859, the last Three Months estimated; of the Receipts and Disbursements of the Home Treasury of the Government of India, from 1 May 1859 to 30 April 1860 :—Statement of the Sums subscribed to each of the Public Loans open in India, in each Month from 1 January 1851, &c. - -	XIX. 3.

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193.	- 5.	Army (Army Estimates, 1859-60) [By Command.]	Supplemental Estimate of the Sum required to be Voted for the Year 1859-60, towards defraying the Charge for Buildings, Machinery, Stores and Wages for the Rifled Ordnance Factory at Woolwich Arsenal - - - - -	XIV. 585.
194.	- 6.	Ecclesiastical Courts - - [Mr. Ayrton.]	Return of all Persons appointed to Offices or Employment under the Acts for abolishing the Ecclesiastical Courts; Salaries and Emoluments thereof; Compensations awarded; the Age of such Persons, distinguishing such as have been appointed to any Office under the said Act -	XXII. 47.
195.	- 6.	County Courts Commitment - [Mr. Attorney General.]	Return from every County Court in England of the Number of Persons taken to Prison, under 9 & 10 Vict. c. 95, or any Act amending the same, in the Year 1858, specifying in each case the Grounds of the Commitment, and various Particulars - - - - -	XXII. 39.
196.	- 6.	Metropolitan Buildings Act - [Mr. Brady.]	Returns of all Fees paid to the Commissioners of Police, under the Metropolitan Buildings Act, for surveying dangerous Structures since the Act came into operation; and of the Number of Summons issued by Order of the said Commissioners for the Recovery of Surveyor's Fees, &c.	XXIII. 279.
197.	- 6.	Queen's Colleges (Ireland) [Mr. Beamish.]	Correspondence which has passed between the Presidents of the Queen's Colleges in Ireland and the Irish Government, in reference to the Residence of the Presidents in their respective Colleges - - - - -	XXI. Part II. 411.
198.	- 7.	Colonization, &c., India - -	Report of Committee appointed to inquire into the Progress and Prospect and the best Means to be adopted for Promotion of European Colonization and Settlement in India, &c., as well as for the Extension of our Commerce in Central Asia - - - - -	IV. 1.
199.	- 7.	Expiring Laws - - -	Report from the Committee upon Expiring Laws -	III. 13.
200.	- 8.	East India (Principality of Dhar). [Mr. John Benjamin Smith.]	Copy of all Correspondence between the Home Government and the Supreme Government of India, on the Subject of the Principality of Dhar; and of all Correspondence on the above Subject between the Supreme Government of India and the Native Authorities of Dhar -	XVIII. 589.
201.	- 8.	Cities and Boroughs (Taxation) [Mr. Rich.]	Return of all Cities and Boroughs in England and Wales paying an Annual Amount of direct Taxation, Property, Income, &c., assessed at less than 4,500 £, arranged in the order of the Amount paid by each, and setting forth such Amount; also, distinguishing by Italics those Cities and Boroughs which are included in Schedule C. of the Representation of the People Bill - - - - -	XXIII. 259.
202.	- 8.	Army Mortality, &c., at Trinidad [Sir De Lacy Evans.]	Correspondence up to the latest Date concerning the Mortality and Sickness of the 41st Regiment at Trinidad, and concerning the unhealthy Location of the Barracks in that Colony - -	XV. 383.

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204.	- 11.	Lunatics - - - - -	Report from Select Committee to inquire into the Operation of the Acts of Parliament and Regu- lations for the Care and Treatment of Lunatics and their Property - - - - -	III. 75.
205.	- 11.	Jews Act - - - - -	Report from the Select Committee on the Jews Act, together with the Proceedings of the Com- mittee, and Minutes of Evidence - - - - -	III. 35.
206.	- 11.	Private Bills - - - - -	Standing Orders for the Suspension of Private Bills	XXIII. 3.
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208: (A.)	- 11.	Poor Rates and Pauperism - [Earl of March.]	Comparative Statement of the Number of Paupers of all Classes (except Lunatic Paupers in Asylums and Vagrants), in receipt of Relief on the Last Day of each Week in the Months of April, May, June, July, August, September, October, No- vember, December 1858 and 1859 respectively; also, for the Months of January, February, and March 1859 and 1860 respectively - - - - -	XXIV. 1.
(A. I.)	- 11.	Ditto - - - - -	Further Return, May 1858 and 1859 - - - - -	XXIV. 11.
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(A. IV.)	- 11.	Ditto - - - - -	Further Return, August 1858 and 1859 - - - - -	XXIV. 35.
(A. V.)	- 11.	Ditto - - - - -	Further Return, September 1858 and 1859 - - - - -	XXIV. 43.
(A. VI.)	- 11.	Ditto - - - - -	Further Return, October 1858 and 1859 - - - - -	XXIV. 55.
(A. VII.)	- 11.	Ditto - - - - -	Further Return, November 1858 and 1859 - - - - -	XXIV. 63.
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(E.)	- 11.	Ditto - - - - -	Number of Insane Paupers chargeable to the Poor Rates on the 1st day of January 1859 - - - - -	XXIV. 451.
(E. I.)	- 11.	Ditto - - - - -	Similar Statement for the 1st day of January 1860	XXIV. 511.
209.	- 11.	Royal Indian Military College, Addiscombe.	Regulations for the Admission of Candidates for Cadetships in the Engineers and Artillery of Her Majesty's Indian Forces, and of the Regu- lations for the Infantry Department of the Royal Military College - - - - -	XIX. 247.
210.	- 11.	East India (Education) - -	Copy of Educational Despatch, No. 4, dated Indian Office, London, 7 April 1859 - - - - -	XIX. 253.
211.	- 11.	Electoral Act (New South Wales).	Electoral Act passed by the Legislature of New South Wales - - - - -	XVII. 343.
212.	- 11.	East India (Punjab) - - [Mr. Kinnaid.]	General Report on the Administration of the Punjab Territories, for the Years 1856-7 and 1857-8 - - - - -	XVIII. 453.

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213.	1859. April 11.	Army, Ordnance, and Navy - [Mr. Wilson.]	Return of the Number of Men voted for the Army in each Year from 1816 to 1858, both inclusive; of the Sums voted for the Army in each of those Years, distinguishing the Effective and Non-Effective Votes, and the Cost of the Civil Establishments; and the Sums for the Ordnance, distinguishing the Cost of the Civil Establishment, and showing a Total of the Votes in each Year; also of the actual Expenditure in each of those Years, distinguished in a similar way:—Also, the Number of Men voted for the Navy in each of those Years; of the Sums voted, distinguishing the Effective from the Non-Effective Services; the Cost of the Civil Establishment; and showing a Total of the whole; also of the actual Expenditure in each Year, distinguished in like manner; also, showing, in separate Columns, the aggregate Votes and actual Expenditure for Army, Ordnance and Navy - - - - -	XV. 1.
214.	- 12.	Public Income and Expenditure [Sir Stafford Northcote.]	Account of the Gross Public Income and Expenditure for the Year ending the 31st day of March 1859; together with the Balance in the Exchequer at the Commencement and at the Termination of the Year, and the Amount of Funded or Unfunded Debt created or redeemed in the said Year - - - - -	XIV. 15.
215.	- 12.	Common Lodging Houses - [Mr. Kinnaird.]	Copy of Report of the Assistant Commissioner of Police of the Metropolis, specially charged with the Control of Common Lodging Houses, on the Condition of Single Rooms occupied by Families in the Metropolis - - - - -	XXII. 317.
216.	- 12.	East India (Artillery) - - [Sir De Lacy Evans.]	Copy of Correspondence respecting the Artillery Forces in India, from the Commencement of the late Mutiny to the present Date - - - - -	XIX. 73.
217.	- 13.	Cambridge University - -	Copy of Statutes made by the Cambridge University Commissioners on the 29th October 1858 and 7th January 1859, under the 19 & 20 Vict. c. 88, in relation to St. John's College - - - - -	XXI. Part II. 1.
218.	- 13.	Income Tax (Dublin) - - [Mr. Macartney.]	Return of Income Tax assessed upon the County and City of Dublin for each of the Years 1856, 1857, and 1858, ending the 1st day of April; the Amount Collected or in Arrear at the close of each Year; and showing any Deficiency caused by the Defalcation of Income Tax Collectors or their Assistants; the Names of any such Defaulters and their Sureties, with Amount of each Security; the Date of closing each Year's Collection, and issuing the Schedules and Book for the ensuing Year - - - - -	XIV. 133.
219.	- 13.	Foreign Shipping - - -	Account of the Sums paid under the Act 59 Geo. 3, c. 54, and subsequent Orders of the Lords Commissioners of the Treasury, in the Year 1858, for the Difference of Rates and Charges due to Corporations, Companies, or Individuals, for Foreign Vessels, which, under Treaties of Reciprocity or otherwise, are admitted into the Ports of the United Kingdom at the same Rates of Charge as British Vessels; specifying each of the several Rates, on what Account the same was Paid, whether for Light Dues, Dock Dues, Dues on Ships or Merchandize, Pilotage, or otherwise:—Also, the Total Amount (under the Reciprocity Treaties) Paid to such Corporations, to December 1858 - - - - -	XXV. 423.

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220.	April 14.	Court of Probate, &c. (Acquisition of Site) Bill.	Minutes of Evidence taken before the Select Committee on the Court of Probate, &c. (Acquisition of Site) Bill, with the Proceedings of the Committee - - - - -	III. 471.
221.	- 14.	Chichester Harbour Embankment	Report of the Lords Commissioners of the Admiralty on Chichester Harbour Embankment -	XXV. 319.
222.	- 14.	Benefit Building Societies -	Return relating to the condition of Benefit Building Societies registered under the Act 6 & 7 Will. 4, c. 32, at the end of the Financial Year of each Society next preceding 1 April 1859, in a Tabular Form - - - - -	XXIII. 455.
223.	- 14.	Belvoir Agricultural Model School. [Mr. Calcutt.]	Copy of Correspondence between the Board of Education in Ireland and the Patron of the Belvoir National Agricultural Model School, in the County of Clare - - - - -	XXI. Part II. 35.
224.	- 15.	Gas (Metropolis) - - - -	Report from Select Committee appointed to inquire into and report as to the existing Arrangements for the Supply of Gas to the Metropolis, with Minutes of Evidence, &c. - - - - -	III. 507.
225.	- 15.	Small Tenements - - - - [Mr. Packer.]	Return of the Names of the Parishes in England where an Order has been made by the Vestry to put in force the Act 13 & 14 Vict. c. 99, for the better assessing and collecting the Poor and Highway Rates in respect of Small Tenements -	XXIV. 591.
226.	- 15.	Private Bills - - - - - [Colonel Wilson Patten.]	Return of all Parliamentary Expenses incurred by Railway Companies from their first Act to 1857, distinguishing Parliamentary Fees, Fees to Counsel, and Attendance of Witnesses; Total Expenses incurred before each Committee; also, for the last Ten Years, Parliamentary Expenses of other Private Bills, showing the Proportion of Parliamentary Expenses to the Capital of each Company - - - - -	XXIII. 5.
227.	- 15.	Reformatories, Schools, &c. - [Mr. Black.]	Return showing the Amounts of Grants which have been made by the Committee of Her Majesty's Privy Council on Education to Reformatories, Ragged Industrial Schools, or any other Institutions, under whatever designation, in England and Scotland, in accordance with the Minute dated the 2d day of June 1856, from that date to the 31st day of December 1857; viz.:—The Name and Character of the School or Institution, and where situated; The Numbers in each School; Amount for Capitation Grant of 50 s.; Salaries and Rent - - - - -	XXI. Part II. 123.
228.	- 15.	Lunacy - - - - - [Colonel Clifford.]	Copy of the Supplement to the Twelfth Report of the Commissioners in Lunacy to the Lord Chancellor - - - - -	IX. 1.
229.	- 15.	Greenwich Hospital - - -	An Account of the Receipts and Expenditure of Greenwich Hospital during the Year 1858; specifying the Amounts severally paid in Salaries, Lodging-money, and Value of Coals, Lights, Stores and other Articles supplied to Officers of the Establishment, together with the Rate of Half-Pay and Pensions received by each; distinguishing the Expense of the Military and Civil Departments respectively:—Of the Salaries paid to the Principals, Masters, and Assistant Masters of the Upper and Lower Schools:—And, of the Names, Ages, and Dates of Appointment of the existing Officers of the Civil and Military Departments; and the Number of Pensioners borne on the Books on the 1st day of January and the 31st day of December 1858	XV. 599.

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230.	1859. April 15.	Postal Communication with North America. [Mr. Monsell.] Mail Service (Galway and America). [Mr. Horsfall.]	Copies of Applications, and other Papers, made to any Department of the Government, relating to Proposals for new Contracts to establish Steam Communication between Great Britain and Ire- land and North America, since 1 January 1858, with Replies thereto; also, Reply given by the Government to the Liverpool, New York and Philadelphia Company:— Copy of all Corre- spondence on the subject of the intended Mail Service between Galway and America - -	XVII. 169.
231.	- 19.	Railway Acts - - - [By Command.]	Railway Acts passed in Session 1858, showing the Length of Line, Capital Stock, &c. - - -	XXV. 745.
232.	- 15.	Army (Desertions and Enlist- ments). [Sir De Lacy Evans.]	Return of Desertions from the Army in 1858, dis- tinguishing the Numbers from each Regiment of each Arm of the Service; Numbers deserted between Enlistment and final Approval, and after passing into the Ranks; showing also Total Number of Enlistments in 1858, and the Total Number of Recruits remaining in the Ranks on 31 December 1858 - - - -	XV. 181.
233.	- 15.	Militia Volunteers - -	Return showing, by Regiments, the Number of Militia Volunteers released from their Militia Engagement to serve in the Regular Forces of Her Majesty, between the 1st day of January 1854 and the 31st day of December 1858; showing also the Quota of each Regiment (so far as the Embodied Militia is concerned) -	XV. 403.
234.	- 15.	East India, the Nizam, &c. - [Mr. John B. Smith.]	Copy of Minute of Major Moore on the Debts of his Highness the Nizam, 7 November 1853; also, Memorandum of Colonel Cotton on the Bombay Minutes on the Bulkul Harbour Rail- way to Hyderabad, 13 September 1858; Reports on the Harbour of Bighkul Bay, by Colonel Cotton, &c. - - - -	XIX. 223.
235.	- 15.	Army - - - - [Mr. Monsell.]	Names and Dates of Appointment of all Officers now serving on the Staff employed otherwise as Regimentally, distinguishing each Arm of the Service, and specifying the Amount of their respective Pay and Allowances, and the Dates of their first Commissions - - - -	XV. 173.
236.	- 15.	Army (Divine Service) - - [Mr. Spooner.]	Copy of Account of the manner in which the Sum of 2,000 £., voted last Year on Army Estimates, under the Head of Divine Service, was ex- pended; stating the Titles of the Books distri- buted - - - -	XV. 357.
237.	- 15.	East India (Sir James Outram)	Copy of Minute by the Honourable Major General Sir James Outram, dated the 17th day of August 1858 - - - -	XVIII. 301.
238.	- 15.	East India (Punjab) - - [Mr. Baillie.]	Papers relating to the Mutiny in the Punjab in 1857 - - - -	XVIII. 307.
239.	- 18.	Administration of Justice (Co- lonies). [Mr. Grogan.]	Return of the Names, Salaries, Date of Appoint- ment, and Nature of Office of all Judicial Of- ficers, Law Officers of the Crown, and other Prin- cipal Officers connected with the Administration of Justice in the Colonies, and specifying such Officers as shall have belonged to the Legal Pro- fession in England, Ireland and Scotland respec- tively - - - -	XVII. 409.
240.	- 19.	Colonies - - - - [Colonel Sykes.]	Return of the Cost of the several Colonies of the British Empire, at the Expense of the British Exchequer, from 1853 to 1857, inclusive, in a Tabular Form - - - -	XVII. 1.

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241.	1859. Apr. 19.	Postage - - - - [Mr. Horsfall.]	Return of the Actual and Gross Postage on Letters conveyed by the Montreal Ocean Steam Ship Company's Vessels between Liverpool and Canada, for each Year since they commenced carrying Mails, distinguishing the Revenue accruing to the Post Office of Great Britain, also the Postage on any United States Mails conveyed between Portland and Liverpool, and the Amount paid to the Imperial Post Office - - -	XIV. 201.
242.	- 19.	Railways - - - - [Mr. Salisbury.]	Return showing, under various Heads, the Sums of Money raised and expended under Powers granted by Parliament to the Railway Companies, from the Date of their Incorporation to the 31st day of December 1857; also, the Number and Description of Persons employed on each of the Railways, the Length of the Line (Main and Branches), with the Number of Stations on each for the accommodation of the Public - -	XXV. 821.
243.	- 19.	Railways - - - - [Mr. Henley.]	Amount of Capital and Loan which each Railway Company has been authorised to raise previous to 1859, distinguishing Ordinary Share Capital and Preference Shares; the Amount due on Debentures, Loan Notes, &c.; the Rate of Interest payable thereon; also, Amount each Company retains Powers to raise by creating Shares or Loans; Length of Lines open; also, Returns relating to Amalgamation of Railway Companies - - - -	XXV. 777.
244.	- 19.	Pilotage - - - -	Abstract of Returns relating to Pilots and Pilotage in the United Kingdom, in the Year ending 31 December 1858 (in continuation of No. 174, of 1858) - - - -	XXV. 425.
245.	- 19.	Divine Service (Army) - - [Mr. Greer.]	Return showing the Distribution of the Sums voted in the Army Estimates for 1858 for Allowances to officiating Clergymen for performing Divine Service to the Military at Home and Abroad; also, Return of the Religious Instruction provided for Her Majesty's Forces serving in India for 1858 - - - -	XV. 359.
246.	- 19.	Brass Ordnance Factory (Woolwich). [Mr. Macartney.]	Total Expenditure, September 1856 to March 1859, upon the Establishment for the Manufacture of Brass Ordnance at Woolwich, separately specified under various Heads - - -	XV. 367.
247.	- 19.	Iron Ordnance Factory (Woolwich).	Return of the Total Expenditure for One Year, ending the 31st day of March 1859, upon the Establishment for the Manufacture of Iron Ordnance at Woolwich, separately specified under the following Heads, viz., Buildings, Machinery, Stores, Salaries, Wages, and Miscellaneous Expenses; the Number of each Description of Ordnance Cast; their Calibre; distinguishing those proved, completed and placed ready for Service in Store, from those rejected as being found imperfect before or after Proof, whilst in course of Completion (in continuation of Parl. Paper, No. 423, of Sess. 1858) - - -	XV. 369.
248.	- 19.	Military and Naval Officers -	Return of the Names and Rank of all Military and Naval Officers on Full Pay holding Civil or Military Appointments (not Regimental) who, on the 1st day of March, were on Leave of Absence; showing when such Leave commenced, and when it has expired or will expire - -	XV. 179.

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249.	1859. Apr. 19.	Enfield Factory - - - [Mr. Scholefield.]	Statements of the Total Sum expended at Enfield Factory, from April 1858 to March 1859, specifying the Expenses of Building, Machinery, Stores of all kinds, Salaries, Wages, &c.; Number of Guns delivered into Store during the same period	XV. 373.
250.	- 19.	Small Arms - - - [Mr. Scholefield.]	Return of all Orders given, and Contracts entered into, by the War Department for Small Arms, from April 1858 to March 1859; specifying, separately, London, Birmingham, Belgium, France, and America; also Number of Small Arms received during that period from each of the said Places - - -	XV. 371.
251.	- 19.	Population, &c. - - - [Sir George Lewis]	Population and Number of Houses in 1851 of Counties, Cities and Boroughs in England and Wales, distinguishing each, and the Number of Representatives returned to Parliament by each; also, as regards Cities and Boroughs, the Number rated to the Relief of the Poor; Value of Property assessed to the Poor, 1856, and Number of Electors on Registers in 1857 - - -	XXIII. 163.
252.	- 19.	Criminals (Ireland) - - [Mr. J. Fitzgerald.]	Return of the Number of Persons convicted of Crime in each County in Ireland in 1857 and 1858 respectively; showing, in each instance, the Nature of the Offence charged, and the Sentence	XXII. 331.
253.	- 19.	Smithfield Site - - - [Mr. T. Duncombe.]	Copy of any Correspondence during the last and present year, between Her Majesty's Government and the Corporation of the City of London, respecting the Appropriation of the Site of Smithfield - - -	XXIII. 339.
254.	- 19.	National Education (Ireland) - [Mr. Maguire.]	Copy of Correspondence, from July 1857, which passed between the Commissioners of National Education in Ireland and Mr. James Kavanagh; also, the Return of Names of Members appointed on Special Committee, in reference to Mr. Kavanagh; Report of Committee, &c. - - -	XXI. Pt. II. 131.
255.	- 19.	Poor Relief (Ireland) - -	Return (in pursuance of the 29th section of the Act 10 Vict. c. 31) of the Expenditure on the Relief of the Poor in each Union in Ireland, for the Year ended the 29th of September 1858, and of the Total Numbers relieved in and out of the Workhouse in each Union, during the same period - - -	XXIV. 637.
256.	- 19.	Pembroke Dockyards Gasworks [Mr. Craufurd.]	Copy of the Specifications, Drawings and Plans for the additional Bed of No. 10 Retorts for Gas in Pembroke Dockyards Gasworks, estimated at 441 £; Returns of the following particulars relative to the said Gasworks, for the years 1856-1858, taking the whole 12 months working in each Year, in detail, and the Total Cost of the Works and Mains up to this time, together with Length and Sizes of the several Mains, and the Number of Lights burning - - -	XV. 611.
257.	- 19.	Galway and Shannon Ports - [Mr. Monsell.]	Copy of Instructions of 11th June 1852, from the Admiralty to the Committee appointed to inquire into the suitableness and capabilities of the Ports of Galway and of the Shannon for a Transatlantic Packet Station, in connexion with a Harbour of Refuge; and of the Report and Minutes of Evidence of the Committee, together with the Sailing Directions for the River Shannon, drawn up by Lieut Wolfe, R.N.; Memorials addressed by any Public Bodies at Galway or Limerick to any of the Departments of the Government, respecting the suitability of the Shannon and the Port of Galway for the purposes of Steam Communication with North America, and Replies thereto - - -	XVII. 245.

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258.	1859. Apr. 19.	The Clock (New Palace, Westminster).	Return, stating the Cost of the Clock in the Clock Tower of the New Palace at Westminster, and of the Expenses connected therewith up to the present period; an Estimate of the Amount further required, and a Statement of the probable time of its being completed - - - -	XIV. 345.
259.	- 19.	East India (Railways, &c.) [Mr. Alderman Salomons.]	Contracts or Agreements entered into by the East India Company, or by the present Council for India, with any Company formed for making Railways, Public Roads, Canals, Works for Irrigation, or other Public Works in India, by which Contracts or Agreements a Rate of Interest is guaranteed upon the Capital of such Companies already paid up or hereafter to be paid up:—Statement, giving the Title and Object of such Companies, the Amount of the Capital of each Company, the Rate of Interest guaranteed, and the Conditions or Circumstances, if any, under which the Government of India is liable - - - -	XIX. 636.
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261.	- 19.	Statute Law Commission [Mr. Secretary Walpole.]	Total Sum Voted from its Commencement to the present Time, showing how that Amount has been Expended; also, Names of the Draughtsmen employed to prepare Consolidation Bills, and the Fees paid to each Draughtsman; also, Minutes and Proceedings of the Commission -	XXII. 263.
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II. Accounts and Papers:**1. Chronometers:**

Copies of the several applications that have been made to the Board of Admiralty, the hydrographer, and the astronomer royal, since the 20th day of December 1852, for pecuniary rewards on account of improvements made in chronometers: and list of the several chronometers that have been placed on the Government trials at the Royal Observatory at Greenwich, arranged in their order of merit, and distinguishing those chronometers that have been purchased by the Board of Admiralty, with the prices awarded for them (in continuation of Parliamentary Paper, No. 69, of Session 1852-3); (142.) - - - - XV. 575

2. Marine Engines:

Report to the Lords Commissioners of the Admiralty, by the Committee on Marine Engines, with replies by the Surveyor of the Navy; (183.) - - - - XV. 517

3. Registrar:

Estimate of sum to be voted on account of the Registrar of High Court of Admiralty, 1859-60; (in 186.) - - - - XIV. 851

Admiralty Court:

Bill to enable serjeants, barristers-at-law, attornies, and solicitors to practise in the High Court of Admiralty; (81.) - - - - I. 1

Adulteration of Food or Drink:

Bill for preventing the adulteration of articles of food or drink; (37.) - I. 5

Adults, Recreation of:

To facilitate grants of land to be made near populous places for the use of regulated recreation of adults, and as playgrounds for children; (46.) - II. 543

Advances to Government. see *Debt, National*, 1.

Advocates, College of:

Copy of a communication (with papers), addressed on the 9th day of June 1858 to the Secretary of State for the Home Department, relating to the College of Advocates, Doctors' Commons; (16.) - - - - XXII. 19

African Mails:

Correspondence and Treasury Minutes in relation to new contracts for conveyance of African mails, and especially in relation to the charge by which the port of last departure and first arrival has been changed from Plymouth to Liverpool; (109.) - - - - XIV. 203

Affidavits by Commission:

Bill to enable the judges to appoint commissioners within 10 miles of London, and in the Isle of Man and the Channel Islands, to administer oaths in common law; (53.) - - - - I. 11

Bill to enable the judges to appoint commissioners within 10 miles of London, and in the Isle of Man and the Channel Islands, to administer oaths in common law, and to authorise the taking in the country of bail in error, and recognizances and bail on the revenue side of the Exchequer; (64.) - I. 15

Affirmation, Form of:

Bill to settle the form of affirmation to be made in certain cases by Quakers and other persons by law permitted to make an affirmation, instead of taking an oath; (69.) - - - - - II. 355

Aggravated Assaults:

Bill to amend the Act 16 & 17 Vict., for the prevention and punishment of aggravated assaults on women and children; (94.) (*Not delivered.*) - - - I. 19

Agricultural Produce, Sale of:

Bill for sale of grain, meal, flour, butter, and potatoes, and other agricultural produce, by the pound avoirdupois, the score of 20 pounds, the cental of 100 pounds, and the ton of 2,000 pounds; (32.) - - - - - II. 725

Agricultural Schools (Ireland):

Returns of the name, parish, and city or county of all model farms and agricultural schools connected with the commissioners; the date of connexion; the extent of land for agricultural purposes under each, &c.; of the number of pupils on the roll at each agricultural school for the quarter ending 31st March last; of the number of resident agricultural boarders at present in each school, &c.; (167.)
see also *Belvoir Agricultural Model School.* XXI. Part II. 393

Agricultural Statistics (Ireland):**I. Estimate.****II. Accounts and Papers:**

1. Generally.
2. Land under Crop.
3. Live Stock.

I. Estimate:

Estimate of sum to be voted on account of agricultural statistics, Ireland, 1859-60; (in 186.) - - - - - XIV. 852

II. Accounts and Papers:**1. Generally:**

Agricultural statistics of Ireland for the year 1857; [2461.] - - - XXVI. 57

2. Land under Crop:

Return of the extent of land under crops for the year 1858; [2459.] XXVI. 331

3. Live Stock:

Return of the live stock for the year 1858; [2460.] - - - XXVI. 335

Aldershott and Shorncliffe Camps:

Estimate of sum to be voted on account of police at the camp of Aldershott and Shorncliffe, 1859-60; (in 186.) - - - - - XIV. 852

Allen, Joseph, R. N.:

Letter from Mr. Joseph Allen, R. N., respecting the present condition of Greenwich Hospital; [in App. to 2469.] - - - - - VI. 373

Amalgamation of Railway Companies:

Amount of the capital and loan which each railway company has been authorised to raise previous to 1859; distinguishing ordinary share capital and preference shares, the amount due on debentures, loan notes, &c.; the rate of interest payable thereon; also, amount each company retains power to raise by creating shares or loans; length of lines open; also, returns relating to amalgamation of railway companies; (243.) - - - - - XXV. 777

America, North:

1. *Mail Service.*
2. *Steam Communication.*
3. *Small Arms.*

1. Mail Service:

Copy of all correspondence on the subject of the intended mail service between Galway and America; (230.) - - - - - XVII. 169

2. Steam Communication and Mail Service:

Copies of all applications, reports, papers, or communications made to any department of the Government relating to proposals for new contracts to establish steam communication, for postal purposes, between Great Britain, or Ireland, and North America,

*America, North—continued.*2. *Steam Communication—continued.*

America, since the 1st day of January 1858; and the replies thereto: and of reply given by the Government, dated the 9th day of November 1858, to the Liverpool, New York, and Philadelphia Company, on the same subject; also copy of correspondence on the subject of the intended mail service between Galway and America; (230.) - - - - - XVII. 169

3. *Small Arms:*

Return of all orders given, and contracts entered into, by the War Department for small arms, from April 1858 to March 1859; specifying, separately, London, Birmingham, Belgium, France, and America; also, number of small arms received during that period from each of the said places; (250). - XV. 371

Animals. see Cruelty to Animals.

Anniversary Forms of Prayer:

Bill to repeal certain Acts and parts of Acts which relate to the observance of the 30th of January, and other days; (1.) - - - - - II. 359

*Annuities:*I. *Bill.*II. *Accounts and Papers:*

1. Additions to National Debt.
2. Annuities for Terms of Years.

I. *Bill:*

Bill to continue the Act for the regulation of the annuities and premiums of the Naval Medical Supplemental Fund Society; (103.) - - - - - II. 339

II. *Accounts and Papers:*

1. Additions to Public Debt:

Account of all additions which have been made to the annual charge of the public debt by the interest of any loan that hath been made, or annuities created, in the last 10 years (1849 to 1858 inclusive); presented in pursuance of an Act 27 Geo. 3, c. 13, s. 72; and also showing how the charge incurred in respect of the same has been provided for; (77.) - - - - - XIV. 31

2. Annuities for Terms of Years:

Account of the gross amount of all bank annuities and long annuities, and any other annuities for terms of years, transferred; and of all sums of money paid to the Commissioners for the Reduction of the National Debt; and the gross amount of annuities for lives and for terms of years which have been granted under the provisions of the Acts 10 Geo. 4, c. 24, 3 Will. 4, c. 14, and 16 Vict. c. 45, within the year ending 5 January 1859; (in 270.) - - - - - XIV. 39

Annuity Tax (Edinburgh):

Bill to abolish the ministers' money or annuity tax levied within the city of Edinburgh, the parish of Canongate, and burgh of Montrose, as vacancies occur among the present ministers, and to make provision for their successors; (26.) - - - - - I. 699

Antrim Skerries:

Report by the Commissioners on Harbours of Refuge on Antrim Skerries as a harbour of refuge; [in 2474.] - - - - - X. Part I. 11

Apparatus for Saving Life:

Statement of the number of lives lost and saved; of the amounts granted out of the Mercantile Marine Fund as rewards for the salvage of life; for contributions towards the maintenance of life boats, and for expenses in connexion with the mortar and rocket apparatus for saving life during the same period, and a précis of the special inquiries instituted into the causes of such wrecks and casualties by order of the Board of Trade; [2475.] - - - - - XXV. 557

Appeal in Criminal Cases:

Bill to secure the rights of appeal in criminal cases; (51.) (*Not delivered.*) I. 21

Appeals, Metropolitan Courts (Ireland):

Bill, intituled, An Act for the union of the Diocesan Courts and Registries in Ireland; for the regulation of the mode of Procedure therein, and also in the Metropolitan Courts of Armagh and Dublin, and for Appeals therefrom; (76.) - I. 677

Apprentices in the Navy :

Return of the number of apprentices registered as existing in the years 1835 to 1857; [in App. to 2469.] - - - - - VI. 373

Arbitration :

Bill to establish equitable councils of conciliation and arbitration to adjust differences between masters and operatives; (42.) - - - - - II. 283

Archdeaonries :

Return from each parish within the several archdeaonries in England and Wales, setting forth the gross amount expended during the last seven years for church purposes, stating the amount of any extraordinary expenditure within the seven years materially affecting the average; also, the amount expended for various purposes; also a copy of the circular letter from the Secretary of State for the Home Department, addressed to the several archdeacons, and dated 6 September 1858; (4.) - - - - - XX. 1

Supplemental return; (4-1.) - - - - - XX. 469

Archdeaonries endowed during the year preceeding the 1 November 1858; [in App. to 2480.] - - - - - XII. 135

Ardglass Harbour :

Opinion of the Harbour of Refuge Commissioners on Ardglass harbour as a harbour of refuge; [in 2474.] - - - - - X. Part I. 9

Report of Captain Denham, R. N., on the suitability of Ardglass Bay for a harbour of refuge; [in App. to 2506-1.] - - - - - X. Part I. 66

Armagh, Metropolitan Court :

Bill, intituled, An Act for the union of the Diocesan Courts and Registries in Ireland; for the regulation of the mode of Procedure therein, and also in the Metropolitan Courts of Armagh and Dublin; and for Appeals therefrom; (76.) - I. 677

Army :**I. Estimates.****II. Accounts and Papers :**

- | | |
|-------------------------------|---------------------------------|
| 1. Chaplains. | 12. Roman-catholic Processions. |
| 2. Civil Appointments. | 13. Savings Banks. |
| 3. Clothing. | 14. Sea Kit. |
| 4. Commissariat Department. | 15. Small Arms. |
| 5. Desertions and Enlistment. | 16. Staff. |
| 6. Enfield Establishment. | 17. Volunteers from Militia. |
| 7. General Officers. | 18. Weedon Inquiry. |
| 8. Mortality at Dumdum. | 19. Woolwich Arsenal: |
| 9. Mortality at Trinidad. | i. Iron Ordnance Factory. |
| 10. Promotions. | ii. Brass Ordnance Factory. |
| 11. Purchase and Sale of Com- | |
| missions. | |

I. Estimates :

Statement of the sums required to make good the deficiency of certain army grants for the year 1857-8; (90.) - - - - - XIV. 589

Army estimates of effective and non-effective services for 1859-60; (63.) XIV. 429

Estimate of the sum required to be voted in the year 1859-60, towards defraying the charge for buildings, machinery, stores, and wages for the Rifled Ordnance Factory at Woolwich Arsenal; (193.) - - - - - XIV. 585

Statement of the sums required to be voted, "on account," towards defraying the charges for the following army services which will come in course of payment during the year ending the 31st day of March 1860; (184.) - - - XIV. 587

II. Accounts and Papers :**1. Chaplains :**

Manner in which the sum voted last year on army estimates, under the head of Divine Service, was expended; stating the titles of the books distributed; (236.) - - - - - XV. 357

Detail of the expenditure for commissioned chaplains; distinguishing Protestants and Roman-catholics: Similar account for officiating clergymen at home and abroad: for religious books: Cause of the increase for the present year, under the head of Divine Service; (135.) - - - - - XV. 345

Return showing the distribution of the sum voted in the army estimates for the year 1857, for allowances to officiating clergymen for performing Divine Service to the military at home and abroad; and also of any salaries or allowances paid to chaplains

*Army—continued.**II. Accounts and Papers—1. Chaplains—continued.*

chaplains or assistant chaplains of Her Majesty's Forces for their services during said year; stating the religious denomination to which each clergyman belonged, the office, title, and service in virtue of which such allowance or payment was made, and the names and distribution of the religious books paid for out of the sum so voted (in continuation of Parliamentary Paper, No. 90, of Session 1858); (36.) - - - - - XV. 353

Return showing the distribution of the sums voted in the army estimates for the year 1858, for allowances to officiating clergymen for performing Divine Service to the military at home and abroad (in continuation of Parliamentary Paper, No. 36, of the present Session), stating the names of the commissioned or other permanent chaplains and assistant chaplains to the forces, with the amount of their respective salaries and allowances, and the religious denominations to which they respectively belong: similar Return of the religious instruction provided for Her Majesty's Forces serving in India, at the various military stations in that country, or in the field, during the past year, specifying religious denomination of each chaplain appointed during the year, and the amount of outfit allowed him (so far as Her Majesty's Forces on the British establishment are concerned); (245.) - - - - - XV. 359

Returns of ships, and whether sailing or steam, which have proceeded with troops to India, between the 1st day of June and the 1st day of December 1857: of chaplains of the Church of England, or of any other denomination, who went on board of them: of the chaplains, of the Church or any other denomination, serving with troops at stations in India; specifying what stations, and what number of troops at the station on the 1st day of December: and, of troops serving in the field on the same day, and of chaplains of the Church of England, and any other denomination, serving with them; (57.) - - - - - XV. 349

2. Civil Appointments:

Return of the names and rank of all military and naval officers on full pay holding civil or military appointments (not regimental) who, on the 1st day of March, were on leave of absence; showing when such leave commenced, and when it has expired or will expire; (248.) - - - - - XV. 179

3. Clothing:

Return showing the amount charged for clothing for each regiment on the British establishment for the year 1859-60; (103.) - - - - - XV. 7

4. Commissariat Department:

Royal Warrant, dated 28th October 1858, and Report of the Committee appointed to inquire into the existing organisation of the Commissariat Department, with Evidence and Appendix; [2462.] - - - - - XV. 187

5. Desertions and Enlistments:

Return of desertions from the army between the 1st day of January and the 31st day of December 1858, distinguishing the numbers from each regiment and dépôt of each arm of the service; specifying the numbers deserted between enlistment and attestation; between attestation and final approval; the numbers after final approval, and after passing into the ranks; those who deserted before being clothed from out-stations or recruiting districts; the enlistments by regimental recruiting parties or staff, by the corps of pensioners, by militia staff; showing, finally, total number of enlistments in the United Kingdom in the year 1858, and the total number of the recruits remaining in the ranks on the 31st of last December; (232.) - - - - - XV. 181

6. Enfield Establishment:

Return showing the total cost and total production of the Enfield establishment, from the period of reconstruction in 1854; (120.) - - - - - XV. 375

Statements of the total sum expended at Enfield factory from April 1858 to March 1859, specifying the expenses of building, machinery, stores of all kinds, salaries, wages, &c., number of guns delivered into store during the same period; (249.) - - - - - XV. 373

7. General Officers:

Copy of the General Order, No. 432, dated Horse Guards, 25 April 1826: and, a nominal return of those officers, stating their length of service, who obtained promotion upon half-pay under the provisions of that general order, who have since become general officers, and are receiving only the half-pay of their regimental rank in place of 1 l. 5 s. a day, the unattached pay of a general officer; (134.) - - - - - XV. 169

*Army—continued.*II. *Accounts and Papers*—continued.

8. Mortality at Dumdum :

Reports or correspondence which may have been received in the department of the Secretary of State for War, or the Secretary of State for India, on the subject of the mortality which occurred in the year 1858, among the women and children quartered in the barrack at Dumdum, in the Presidency of Bengal ; (131.) - - - - - XXI. 275

9. Mortality at Trinidad :

Correspondence up to the latest date concerning the mortality and sickness of the 41st Regiment at Trinidad, and concerning the unhealthy location of the barracks in that colony ; (202.) - - - - - XV. 383

10. Promotions :

Return of colonels promoted to the rank of major-general in the brevets of 1851 and 1854, having served six years or more as effective field officers on full pay, and not being now colonels of regiments ; stating the length of each officer's service as effective major, and as effective lieutenant-colonel on full pay, and distinguishing cavalry from infantry ; (45.) - - - - - XV. 177

11. Purchase and Sale of Commissions :

Treasury Minutes or letters of the 20th day of July 1857, the 13th day of March and the 21st day of June 1858, and the 21st day of January 1859, and the correspondence connected with them, relative to increasing the remuneration of regimental officers of the army, and the impossibility of doing so, with eventual benefit to the officers, unless they be relieved from the necessity of buying their commissions ; (114.) - - - - - XV. 43

Proceedings of a War Office Committee on what is therein termed " Sir C. Trevelyan's Scheme in Relation to Army Purchase and Sale of Commissions ;" and of which the table of contents commences with " Questions to be determined, page 3," and terminates with the words " Summary of Statements relative to Indian Army, page 99 ;" (172.) - - - - - XV. 69

The data and calculations upon which Sir Charles Trevelyan founded the statements upon which the War Office Committee was called upon to report their opinion to the Secretary of State ; and upon which he founded the statements contained in his letter to the Secretary of State, in answer to the report of the committee ; (173.) - - - - - XV. 123

Statement by Sir Charles Trevelyan to General Peel of reasons for differing from the report of the committee appointed by Lord Panmure to examine the proposals submitted by him to the Royal Commission on the Purchase and Sale of Commissions in the Army ; (71.) - - - - - XV. 13

12. Roman-catholic Processions :

General circular of the Commander-in-Chief, Lord Hill, dated the 26th day of June 1837, relative to saluting religious processions in Catholic countries ; (46.)

13. Savings Banks : XV. 365

Account of the amount due by the public to depositors in military savings banks on 31 March 1856 and 31 March 1857, &c., pursuant to Acts 5 & 6 Vict. c. 71, and 8 & 9 Vict. c. 27 ; (191.) - - - - - XV. 379

14. Sea Kit :

Return of the sea kit supplied to soldiers on embarking for India, setting forth the different articles, and the charge for each respectively, and showing how the expense is defrayed ; also, the India kit and bedding (adapted to the climate) as supplied to the Queen's troops on arriving in India, setting forth the articles supplied, the prices of each, and how the expense is defrayed ; (74.) XIX. 71

15. Small Arms :

Returns of all orders given and contracts entered into by the War Department for small arms, from the 1st day of April 1858 to the 31st day of March 1859, inclusive, including all contracts for finished arms, and for setting up the same, with the date of contract and quantity ordered ; specifying, separately, London, Birmingham, Belgium, France, and America : and, of all muskets, rifles, and other descriptions of small arms, received by the War Department, from the 1st day of April 1858 to the 31st day of March 1859 inclusive, specifying, separately, London, Birmingham, Belgium, France, and America ; (250.) - - - XV. 371

16. Staff :

Return of the names and dates of appointment of all officers not serving on the staff of the army at home and abroad, employed otherwise than regimentally, in classes, distinguishing cavalry, artillery, engineers, and infantry, and specifying the amount of their respective pay and allowances, and the date of their first commissions ; (235.) - - - - - XV. 173

Army—continued.**II. Accounts and Papers—continued.****17. Volunteers from Militia :**

Returns of the number of volunteers given by each regiment of embodied militia to the regular army, during the year 1858; distinguishing the number of men who volunteered in the spring and autumn of that year; and, of the highest number of effectives in each of the above regiments during the year 1858, and the total number of volunteers given by each regiment to the regular army, from the 1st of day of January 1858 to the 5th day of February 1859; showing also in each case the relative proportion of the volunteers so given to the above-mentioned effectives; (158.) - - - - - XV. 401

Return showing, by regiments, the number of militia volunteers released from their militia engagement to serve in the regular forces of Her Majesty, between the 1st day of January 1854 and the 31st day of December 1858; showing also the quota of each regiment (so far as the embodied militia is concerned); (233.)

XV. 403

18. Weedon Inquiry :

Warrants for inquiry into the state of Weedon, and for manning the navy; (84.)

XV. 397

19. Woolwich Arsenal :**i. Iron Ordnance Factory :**

Return of the total expenditure for one year, ending the 31st day of March 1859, upon the establishment for the manufacture of iron ordnance at Woolwich, separately specified under the following heads, viz., buildings, machinery, stores, salaries, wages, and miscellaneous expenses; the number of each description of ordnance cast; their calibre; distinguishing those proved, completed and placed ready for service in store, from those rejected as being found imperfect before or after proof, whilst in course of completion (in continuation of Parl. Paper, No. 423, of Sess. 1858); (247.) - - - - - XV. 369

ii. Brass Ordnance Factory :

Return of the total expenditure, from 1st September 1856 to 31st March 1859, upon the establishment for the manufacture of brass ordnance at Woolwich; and the number of each description of ordnance cast, &c.; (246.) - - - XV. 367

see also *Deputy Assistant Secretary at War.*

Army, East Indian :**I. Reports of Commissioners :**

1. Organization of Indian Army.
2. Report of General Hancock.

II. Accounts and Papers :

1. Addiscombe Royal Indian Military College.
2. Artillery.
3. Mortality at Dumdum.
4. Mutiny.
5. Sea Kit, India Kit, and Bedding.

I. Reports of Commissioners :

1. Organization of Indian Army :

Report of the Commissioners appointed to inquire into the organization of the Indian army, with Minutes of Evidence; [2515.] - - - - - V. 1

2. Report of General Hancock :

Report of Major-General Hancock on the organization of the Indian army; [2516.] - - - - - V. 611

II. Accounts and Papers :

1. Addiscombe Royal Indian Military College :

Copies of regulations for the admission of candidates for cadetships in the engineers and artillery of Her Majesty's Indian forces; and the regulations for the junior or infantry department of the Royal Indian Military College; (209.) XIX. 247

2. Artillery :

Copies of correspondence between the late Court of Directors, the President of the late Board of Control, and the present Secretary of State for India, respecting the artillery force in India, from the commencement of the late mutiny to the present date; (216.) - - - - - XIX. 73

Army, East Indian—continued.**II. Accounts and Papers—continued.****3. Mortality of Dumdum :**

Reports and correspondence which have been received in the department of the Secretary of State for War, or the Secretary of State for India, on the subject of the mortality which occurred in the year 1858 among the women and children quartered in the barrack at Dumdum in the Presidency of Bengal; (131.)

XIX. 275

4. Mutiny :

Return of the name or number of each regiment and regular and irregular corps in India which has mutinied, or manifested a disposition to mutiny, since 1 January 1857; of the number of officers and men present with each regiment and corps at the outbreak of the mutiny; of the date of the first intimation received by any officer of the regiment or corps being disposed to mutiny, and of the date when information thereof was received by the Governor General of India or the Governor of Bombay, &c.; (133.) - - - - - XVIII. 1

Papers relating to the mutiny in the Punjab in 1857; (238.) - XVIII. 307

5. Sea Kit, India Kit, and Bedding :

Return of the sea kit, India kit, and bedding (adapted to the climate) as supplied to the Queen's troops on arriving in India, setting forth the articles supplied, the prices of each, and how the expense is defrayed; (74.) - - - - - XIX. 71

Army, Ordnance, and Navy :

Number of men voted for the army 1816-1858; sums voted, distinguishing effective and non-effective votes, and the cost of the civil establishments; sums for the ordnance, distinguishing the cost of the civil establishment, and showing a total of the votes; actual expenditure; also number of men voted for the navy; sums voted; distinguishing effective from non-effective services, &c.; (213.)

XV. 1

Art and Science :

Sixth Report of the Science and Art Department of the Committee of Council on Education; [2502.] - - - - - XXI. Part II. 433

Arthur, Dr. see *Greenwich Union.*

Artillery, East Indian :

Regulations for the admission of candidates for cadetships in the engineers and artillery of Her Majesty's Indian forces, and of the regulations for the Infantry Department of the Royal Military College; (209.) - - - - - XIX. 247

Correspondence respecting the artillery forces in India, from the commencement of the late mutiny to the present date; (216.) - - - - - XIX. 73

Artistic Institutions :

Return of the names and locality of all the literary, scientific and artistic institutions which have obtained from the Certifying Barrister, or from the Lord Advocate, certificates of exemption from local rates, under the Act 6 & 7 Vict. c. 36; (170.) - - - - - XXIII. 269

Ascertainment of the Law. see *Courts of Law and Equity (England and Wales), I..5.*

Asia, Central :

Report of Committee appointed to inquire into the progress and prospect and the best means to be adopted for promotion of European colonization and settlement in India, &c.; as well as for the extension of our commerce in Central Asia; (198.) - - - - - IV. 1

Assaults. see *Aggravated Assaults.*

Assessment (Scotland) :

Return of the amount of assessment and the rate per pound in each burgh under the Registration of Voters (Scotland) Act, distinguishing the amount for each year since the passing of that Act; (9.) - - - - - XXIII. 265

Assessed Taxes :

Return of the number of persons employed in collecting the taxes paid into the Exchequer, distinguishing the number employed for the land, assessed, property, and income tax, and those employed in the Excise Department of the Inland Revenue, and the number employed in collecting the Customs dues; (21.) - - - - - XIV. 341

Assistant Secretary to the Treasury :

Copy of any Treasury Minutes in relation to the appointment of a successor to the late Assistant Secretary of the Treasury, and other arrangements with regard to the permanent offices of the department consequent thereon ; (49.) XIV. 343

Assitant Secretary at War (Deputy). see *Deputy Assistant Secretary at War.*

Astronomer Royal :

Copy of a letter from the Comptroller-general of the Exchequer to the Secretary of State for the Home Department, dated 9th February 1859, and of the enclosed copy of a report from the Astronomer Royal, on the subject of weights and measures ; (188.) - - - - - XXV. 291

Audit Office :

Estimate of sum to be voted on account of salaries and expenses of the Audit Office, 1859-60 ; (in 186.) - - - - - XIV. 850

Australia :

Number of emigrants from the United Kingdom to the Australian Colonies and New Zealand, 1844-1858 ; [in 2517.] - - - - - XXVI. 45

Austria :

Convention between Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, relative to the organization of the principalities of Moldavia and Wallachia, signed at Paris, 19th August 1858 ; [2454.] - - - XXVII. 81

Copy of treaties, political and territorial, 1815-1848 ; [2497.] - - XXVII. 21

B.**Bagenalstown and Wexford Railway :**

Report of the Board of Trade on the Bagenalstown and Wexford Railway Bill ; (6-1.) XIII. 333

Bail :

1. *Bail in Error.*
2. *Bail in Manslaughter.*
3. *Personation.*

1. Bail in Error :

Bill to enable the judges to appoint Commissioners within ten miles of London and in the Isle of Man and the Channel Islands, to administer oaths in common law, and to authorise the taking in the country of bail on the revenue side of the Exchequer ; (64.) - - - - - I. 15

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Colney Hatch Lunatic Asylum :

Paper delivered in by C. H. Cottrell, esq., relative to correspondence relating to the enlargement of the asylum at Colney Hatch ; (in App. to 204.) - III. 364

Colonels :

Return of colonels promoted to the rank of major-general in the brevets of 1851 and 1854, having served six years or more as effective field officers on full pay, and not being now colonels of regiments; stating the length of each officer's service as effective major, and as effective lieutenant-colonel on full pay, and distinguishing cavalry from infantry; (45.) - - - - - XV. 177
see also *Army*.

Colonies :

1. *Administration of Justice.*
2. *Cost of.*
3. *British Columbia.*
4. *Canada.*
5. *Hudson's Bay Company.*
6. *New South Wales.*
7. *Moreton Bay District.*
8. *West Indies Immigration.*

1. Administration of Justice :

Return of judicial offices, law offices of the crown, and other principal offices connected with the administration of justice in the colonies, and in India; specifying the number and descriptions of such offices, and the salaries attached to each; (239.) - - - - - XVII. 409

2. Cost of :

Return of the cost of the several colonies of the British Empire at the expense of the British Exchequer, from the years 1853 to 1857, both inclusive; (240.) XVII. 1

3. British Columbia :

Copies of despatches from the Secretary of State for the Colonies to the Governor of British Columbia and from the Governor to the Secretary of State relative to the government of the colony:—Also, copies of the Act of Parliament to provide for the government of British Columbia; Governor's commission and instructions; Order in Council to provide for the administration of justice; and instrument revoking so much of the Crown grant of 30th May 1838 to the Hudson's Bay Company for exclusive trading with the Indians as relates to the territories comprised within the colony of British Columbia; [2476.] XVII. 15

Returns of all appointments, civil, military, and ecclesiastical, made or authorised by the Home Government, to the colony of British Columbia; stating the names of persons appointed, the dates of their appointments, and the salaries in each case; and, of any other charges connected with the colony authorised by the Home Government; (146.) - - - - - XVII. 109

4. Canada :

Copy of papers and correspondence, &c., between the Imperial Government and Government of Canada, from 1 June 1855, relative to the case of Mr. George H. Ryland, formerly clerk of the council in Canada, including Lord John Russell's despatch of 20th July 1855, &c.; (85.) - - - - - XVII. 113

Actual and gross postage on letters conveyed by the Montreal Ocean Steam Ship Company's vessels between Liverpool and Canada, for each year since they commenced carrying mails, distinguishing the revenue accruing to the post office of Great Britain; also the postage on any United States mails conveyed between Portland and Liverpool, and the amount paid to the imperial post office; (241.) XIV. 201

5. Hudson's Bay Company :

Despatches from the Secretary of State for the Colonies to the Governor of British Columbia, and from the Governor to the Secretary of State, relative to the government of the colony; also, Act of Parliament to provide for the government of British Columbia, Governor's commission and instructions, Order in Council to provide for the administration of justice, and instrument revoking so much of the Crown grant of 30 May 1838 to the Hudson's Bay Company for exclusive trading with the Indians, as relates to the territories comprised within the colony of British Columbia; [2476.] - - - - - XVII. 15

Papers relative to the charter and licence to trade to the Hudson's Bay Company; [2507.] - - - - - XVII. 379

6. New South Wales :

Copy of the Electoral Act passed by the Legislature of New South Wales; (211.) XVII. 343

Colonies—*continued.*7. *Moreton Bay District :*

Further papers relative to the separation of the Moreton Bay District from New South Wales; [2505.] - - - - - XVII. 157

8. *West Indies Immigration :*

Papers relating to immigration to the West India colonies; [2452.] - XVI. 1

Return showing the number of immigrants and liberated Africans admitted into each of the British West India colonies and Mauritius, as well as the places from whence they were introduced, for each year since 1847; (144.) - XVI. 535

Colonization, &c., India :

Report of Committee appointed to inquire into the progress and prospect and the best means to be adopted for promotion of European colonization and settlement in India, &c., as well as for the extension of our commerce in Central Asia; (198.) - - - - - IV. 1

Columbia. see *British Columbia.*

Combination of Workmen :

Bill to amend and explain an Act of the sixth year of the reign of King George the Fourth, to repeal the laws relating to the combination of workmen, and to make other provisions in lieu thereof; (66.) - - - - - I. 303

Commercial Docks Act Amendment :

Report of the Board of Trade on the Commercial Docks Act Amendment Bill; (80-XIII.) - - - - - XIII. 89

Commissariat Department :

Royal warrant, dated 28 October 1858, and report of the Committee appointed to inquire into the existing organization of the Commissariat Department, with Evidence and Appendix; [2462.] - - - - - XV. 187

Commission by Affidavits :

Bill to enable the judges to appoint Commissioners within ten miles of London and in the Isle of Man and the Channel Islands to administer oaths in common law; (53.) - - - - - I. 11

Bill to enable the judges to appoint Commissioners within ten miles of London and in the Isle of Man and the Channel Islands to administer oaths in common law, and to authorise the taking in the country of bail in error and recognizances and bail on the revenue side of the Exchequer; (64.) - - - - - I. 15

Commission, Evidence by :

Bill to provide for taking evidence in suits and proceedings pending before tribunals in Her Majesty's dominions in places out of the jurisdiction of such tribunals; (40.) - - - - - I. 721

Commissions, Sale and Purchase of Army :

Copy of statement by Sir Charles Trevelyan to General Peel, of reasons for differing from the report of the Committee appointed by Lord Panmure to examine the proposals submitted by him to the Royal Commission on the purchase and sale of commissions in the army; (71.) - - - - - XV. 13

Treasury minutes of letters of 20th July 1857, 13th March and 21st June 1858, and 21st January 1859, and correspondence connected with them, relative to increasing the remuneration; (114.) - - - - - XV. 43

Copy of proceedings of a War Office Committee on what is therein termed "Sir C. Trevelyan's scheme in relation to army purchase and sale of commissions;" and of which the table of contents commences with "Questions to be determined, page 3," and terminates with the words, "Summary of statements relative to Indian army, page 99"; (172.) - - - - - XV. 69

Copy of the data and calculations upon which Sir Charles Trevelyan founded the statements upon which the War Office Committee was called upon to report their opinion to the Secretary of State; and upon which he founded the statements contained in his letter to the Secretary of State, in answer to the report of the Committee; (173.) - - - - - XV. 123

Committals (County Court) :

Return from every county court in England, of the number of persons taken to prison under the Act 9 & 10 Vict. c. 95, or any Act amending the same, in the year ended the 31st day of December 1858; (195.) - - - - - XXII. 39

Committee of Selection :

First Report from the Committee of Selection relative to the grouping of Private Bills; (81.)	- - - - -	III.	1
Second Report; (89.)	- - - - -	III.	5
Third Report; (163.)	- - - - -	III.	7

Common Law Oaths :

Bill to enable the judges to appoint Commissioners within ten miles of London and in the Isle of Man and the Channel Islands to administer oaths in common law; (53.)	- - - - -	I.	11
Bill to enable the judges to appoint Commissioners within ten miles of London and in the Isle of Man and the Channel Islands to administer oaths in common law, and to authorise the taking in the country of bail in error and recognizances, and bail on the revenue side of the Exchequer; (64.)	- - - - -	I.	15

Common Lodging Houses :

Copy of report of the Assistant Commissioner of the police of the metropolis, specially charged with the control of common lodging houses, on the condition of single rooms occupied by families in the metropolis; (215.)	- - - - -	XXII.	317
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Common Rights, &c. (War Department) :

Bill to make further provision for the purchase of common and other rights by Her Majesty's Principal Secretary of State for the War Department, and in relation to land vested in or taken by such Secretary of State; (89.)	- - - - -	I.	307
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Commutation of Church Rates :

Bill for voluntary commutation of church rates; (14.)	- - - - -	I.	275
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Compensations, Ecclesiastical Courts :

Return of all persons appointed to offices of employment under the Acts for abolishing the Ecclesiastical Courts, and the salaries or emoluments thereof, and of all persons to whom compensation has been awarded under the said Acts, and the amount thereof, and the age of each of such persons, and the situation previously filled by them, distinguishing such of them as have been appointed to any office or employment above mentioned; (194.)	- - - - -	XXII.	47
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Compensations, Landed Estates Court (Ireland) :

Return of the salaries of the judges and other officers of the land estates court in Ireland, and of the compensations allotted to the several retired officers of the incumbered estates court, under the statute 21 & 22 Vict. c. 72; (161.)	- - - - -	XXII.	165
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Conciliation, Councils of :

Bill to establish equitable councils of conciliation and arbitration to adjust differences between masters and operatives; (42.)	- - - - -	II.	283
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Concordatum Fund :

Estimate of sum to be voted on account of the concordatum fund and other charities and allowances in Ireland, 1859-60; (in 186.)	- - - - -	XIV.	852
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Consolidated Chapelries :

Consolidated chapelries assigned under the Act 8 & 9 Vict. c. 70, & 14 & 15 Vict. c. 97, during the year preceding the 1st November 1858; [in App. to 2480.]	- - - - -	XII.	143
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Constabulary :

Reports of the inspectors of constabulary for the year ended 29th September 1858, made to Her Majesty's Principal Secretary of State, under the provisions of the statute 19 & 20 Vict. c. 69; (17.)	- - - - -	XXII.	399
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Constabulary of Ireland :

Estimate of sum to be voted on account of constabulary of Ireland pay and allowances, 1859-60; (in 186.)	- - - - -	XIV.	851
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Constantinople :

Estimate of sum to be voted on account of British consulate, Constantinople, 1859-60; (in 186.)	- - - - -	XIV.	852
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Constituencies :

Return, arranged alphabetically and numbered, of the names of all constituencies in England and Scotland, classified as and having not more than 300 electors; and not more than 1,000 electors, and returning one member only, and more than one member;—Having not more than 3,000 electors;—Having more than 3,000, but not more than 5,000 electors, and returning one member only, and more than one member;—Having more than 5,000 electors, and returning less than three members;—Having more than 5,000 electors, and returning more than two members; with columns showing the annual value of the real property rated under Schedule (A.), the population by the census of 1851, number of voters, and number of representatives, for each constituency; (141.) - XXIII. 147
see also Parliamentary Representation.

Consular and Foreign Services :

Estimate of sums to be voted on account of colonial, consular, and other foreign services, 1859-60; (in 186.) - - - - - XIV. 852

Continuous Service Men :

Letter from the Secretary to the Admiralty, enclosing returns as to continuous service men; [in App. to 2469.] - - - - - VI. 373

Control, Board of:

Correspondence, minutes, and orders of the late Court of Directors and the Board of Control, the Government of India, Government of Bombay, the Political Agent of Rajpootana, the Magistrate and Superintendent of Police at Bombay, and the depositions taken by them respecting the departure of Mr. Hudson, Syed Uckber Ally, and Khirat Allie Khan from England, and their arrest and detention and discharge from such arrest in Bombay; (125.) - XVIII. 73

Conveyance of Lands :

Bill to amend the law relating to the conveyance of lands for charitable uses; (82.) - - - - - I. 253

Conveyance of Voters :

Bill to prohibit the payment of the expenses of conveying voters to the poll, and to facilitate polling at elections; (38.) - - - - - I. 317

Conveyances of Sites for Churches, &c. :

Conveyances of sites for churches, burial grounds, or parsonage houses accepted under the Acts 58 Geo. 3, c. 45; 59 Geo. 3, c. 134; and the 3 Geo. 4, c. 72, during the year preceding the 1 Nov. 1858; [in App. to 2480.] - XII. 144

Convict Prisons Abroad :

Bill, intituled, An Act for the Government of the Convict Prisons in Her Majesty's Dominions Abroad; (106.) - - - - - I. 321

Convictions (Sunday Trading) :

Informations and convictions, with the amount of fines and costs paid in each case, under the Act 22 Chas. 2, before Her Majesty's justices of the peace for the county of Southampton, from the 25th December 1858 to the 1st March 1859, &c.; (192.) - - - - - XXII. 167

Convictions (Ireland) :

Return of the number of persons convicted of crime in each county in Ireland in 1857 and 1858 respectively; showing, in each instance, the nature of the offence charged, and the sentence; (252.) - - - - - XXII. 331

Convicts :

Estimate of sum to be voted on account of convict establishments in the colonies, 1859-60; (in 186.) - - - - - XIV. 851

Conway (North Wales) :

Letter from Major the Honourable W. E. Fitzmaurice, late M.P. for Bucks, to the Privy Council, relative to a malignant disease which had broken out in the town of Conway, North Wales, and the neighbouring parish of Gyffyn; [in 2512.] XII. 266

Coombe Lying-in Hospital :

Estimate of sum to be voted on account of the Coombe Lying-in Hospital, 1859-60; (in 186.) - - - - - XIV. 852

Copper Coin :

Amount of gold, silver, and copper monies coined at the Royal Mint during the years 1844-1858; [in 2517.] - - - - - XXVI. 41

Copyhold Commission :

Seventeenth annual report of the Commissioners, 1859; [2467.] - XII. 19

Coquett Islands :

Memorial of the Harbour Commissioners and inhabitants of Warkworth to Royal Commissioners, praying for the extension of the North Pier and a construction of a breakwater north of the Coquett Island; [in App. to 2506-1]; X. Part I. 66

Cork Harbour Reclamation :

Admiralty Report, under the Preliminary Inquiries Act, relative to the Cork Harbour Reclamation Bill; (50-4.) - XIII. 111

Cork and Kinsale Junction Railway :

Report of the Board of Trade on the Cork and Kinsale Junction Railway Bill; (6-xix.) - XIII. 369

Cork, Queen's College. see *Queen's Colleges and University*, I. 2.

Cork-street Fever Hospitals :

Estimate of sum to be voted on account of the Cork-street Fever Hospitals 1859-60; (n 186.) - XIV. 852

Corn :**I. Bill.****II. Accounts and Papers :**

1. Imported and entered for Home Consumption.
2. Average Prices.
3. Sales in Markets.

I. Bill :

Bill for the sale of grain, meal, flour, butter, and potatoes, and other agricultural produce, by the pound avoirdupois, the score of twenty pounds, the cental of one hundred pounds, and the ton of two thousand pounds; (32.) - II. 725

II. Accounts and Papers :**1. Imported and entered for Home Consumption :**

Accounts of the different varieties of corn and grain, flour and meal, reducing the latter to imperial quarters, imported into the United Kingdom in 1858; stating the countries whence the same were brought, and the quantities brought from each, in 1858:—Of the quantities of wheat and wheat flour, the latter being stated in imperial quarters of wheat, imported into the United Kingdom during each of the six years ended with 1858; stating the countries whence the same were brought, and the quantities brought from each:—And, showing in imperial quarters the quantities of wheat and wheat flour, barley and barley meal, oats and oat meal, rye and rye meal, pease and pease meal, beans and bean meal, and of Indian corn and meal, entered for consumption in the United Kingdom during each of the six years ending with 1858; (105.) - XXV. 251

Quantities of corn paying duty retained for home consumption in the United Kingdom; [in 2517.] - XXVI. 15

Quantities of wheat, grain and flour imported into the United Kingdom from various countries; [in 2517.] - XXVI. 16

2. Average Prices :

Average Gazette prices of British wheat, barley, and oats, per imperial quarter, in each month, 1844-1858; [in 1517.] - XXVI. 39

3. Sales in Markets :

Quantities of British wheat, barley, and oats sold in the principal market towns in England and Wales in each month 1844-1858; [in 2517.] - XXVI. 40

Cornwall, Duchy of :

Account of the receipts and disbursements of the Duchy of Cornwall in the year ended 21 December 1858; (5) - XIV. 99

Coroners :

Bill to enable coroners in England and Wales to admit to bail persons charged with the offence of manslaughter; (39.) - II. 227

Same [as amended by the Lords]; (109.) - II. 231

Corporal Punishment. see *Flogging (Navy)*.

Corresponding Societies :

Bill to repeal certain Acts and parts of Acts relating to newspapers, pamphlets, and other publications, and to printers, typefounders, and reading-rooms; (27.) II. 343
 Same [as amended in Committee]; (59.) - - - - - II. 347

Corrigan, Dr. :

Communication of Dr. Corrigan, assigning his reasons for dissenting from a portion of the Report of the Commissioners on Lunatic Asylums in Ireland; (95.)
 XXII. 203

Cotton :

Quantities of raw cotton imported into the United Kingdom from various countries; [in 2517.] - - - - - XXVI. 19

Cottrell, Charles Herbert :

Paper delivered in by C. H. Cottrell, esq., relative to correspondence relating to the enlargement of the asylum at Colney Hatch; [in App. to 204.] - III. 364

Councils of Conciliation :

Bill to establish equitable councils of conciliation and arbitration to adjust differences between masters and operatives; (42.) - - - - - II. 283

County Courts :

- I. *Bill.*
- II. *Estimate.*
- III. *Accounts and Papers.*

I. *Bill:*

Bill to repeal the thirty-second section of the Act "for the more easy recovery of small debts and demands in England," and to make further provision in lieu thereof; (58.) - - - - - I. 327

II. *Estimate:*

Estimate of sums to be voted on account of county court salaries and expenses, 1859-60; (in 186.) - - - - - XIV. 851

III. *Accounts and Papers:*

Return from every county court in England of the number of persons taken to prison, under 9 & 10 Vict. c. 95, or any Act amending the same, in the year 1858, specifying in each case the grounds of the commitment, and various particulars; (195.) - - - - - XXII. 39

County Electors, &c. see Parliamentary Representation.

County Lunatic Asylums :

Bill to amend the laws concerning the providing of lunatic asylums for counties and boroughs, and the maintenance of pauper lunatics; (30.) - - - - - II. 85

County Prisons (Ireland) :

Bill for consolidating and amending the laws relating to county prisons in Ireland; (17.) - - - - - I. 331
 Same [as amended in Committee]; (86.) - - - - - I. 419

County Voters (Scotland) :

Bill for the amendment of the law for the registration of county voters in Scotland; (24.) - - - - - II. 573

Courts of Law and Equity (England and Wales) :**I. *Bills:***

1. Admiralty Court.
2. Affidavits by Commission.
3. Affirmations.
4. Appeals in Criminal Cases.
5. Ascertainment of the Law.
6. Bail in Manslaughter.
7. County Courts.
8. Criminal Writings.
9. Debtor and Creditor.
10. Evidence by Commission.
11. Larceny.
12. Personation.
13. Probate, Court of (Acquisition of Site).
14. Offences against the person.

II. *Report from Select Committee.*

Courts of Law and Equity (England and Wales)—*continued.*I. *Bills:*

1. Admiralty Court:

Bill to enable serjeants, barristers at law, attornies and solicitors, to practise in the High Court of Admiralty; (81.) - - - - - I. 1

2. Affidavits by Commission:

Bill to enable the judges to appoint commissioners within ten miles of London, and in the Isle of Man and the Channel Islands, to administer oaths in common law; (53) - - - - - I. 11

Bill to enable the judges to appoint commissioners within ten miles of London, and in the Isle of Man and the Channel Islands, to administer oaths in common law, and to authorise the taking in the country of bail in error, and recognisances and bail on the revenue side of the Exchequer; (64.) - - - - - I. 15

3. Affirmations:

Bill to settle the form of affirmation to be made in certain cases by Quakers and other persons by law permitted to make an affirmation instead of taking an oath; (69.) - - - - - II. 355

4. Appeals in Criminal Cases:

Bill to secure the rights of appeal in criminal cases; (51.) - - - - - I. 21

5. Ascertainment of the Law:

Bill to afford facilities for the more certain ascertainment of the law administered in one part of Her Majesty's dominions, when pleaded in the courts of another part thereof; (67.) - - - - - II. 33

6. Bail in Manslaughter:

Bill to enable coroners in England and Wales to admit to bail persons charged with the offence of manslaughter; (39.) - - - - - II. 227

Same [as amended by the Lords]; (109.) - - - - - II. 231

7. County Courts:

Bill to repeal the thirty-second section of the Act for the more easy recovery of small debts and demands in England, and to make further provision in lieu thereof; (58.) - - - - - I. 327

8. Criminal Writings:

Bill to consolidate the statute law of England and Ireland relating to libellous and threatening writings; (116.) - - - - - I. 577

9. Debtor and Creditor:

Bill, intituled, An Act to amend the Law of Debtor and Creditor, Bankruptcy, Insolvency and Execution; (90.) - - - - - I. 591

10. Evidence by Commission:

Bill to provide for taking evidence in suits and proceedings pending before tribunals in Her Majesty's dominions in places out of the jurisdiction of such tribunals; (40.) - - - - - I. 721

11. Larceny:

Bill to consolidate and amend the statute law of England and Ireland relating to larceny and other similar offences; (117.) - - - - - II. 1

12. Personation:

Bill for consolidating and amending the laws relating to personation; (115.) - - - - - II. 399

13. Probate, Court of (Acquisition of Site):

Bill to enable the Commissioners of Her Majesty's Works to acquire a site for the purposes of Her Majesty's Court of Probate, and other courts and offices; (61.) - - - - - I. 507

Same [as amended by the Select Committee]; (110.) - - - - - I. 543

14. Offences against the Person:

Bill to consolidate and amend the statute law of England and Ireland relating to offences against the person; (111.) - - - - - II. 363

II. *Report from Select Committee:*

Minutes of Evidence taken before the Select Committee on the Court of Probate, &c. Acquisition of Site Bill, with the Proceedings of the Committee; (220.)

see also County Courts. Probate Court. III. 471

Courts of Law and Equity (Ireland) :

I. *Bills* :

1. Chancery Court.
2. Diocesan Courts.
3. Juries.
4. Manor Courts.
5. Sale and Transfer of Land.

II. *Report of Commissioners.*I. *Bills* :

1. Chancery Court :

Bill for the abolition of receivers under the Court of Chancery in Ireland in certain cases, and for giving further facilities to the sale of encumbered estates (8.)

II. 539

2. Diocesan Courts :

Bill, intituled, An Act for the union of the Diocesan Courts and Registries in Ireland, for the regulation of the mode of Procedure therein, and also in the Metropolitan Courts of Armagh and Dublin, and for Appeals therefrom; (76.)

I. 677

3. Juries :

Bill to consolidate and amend the laws relating to juries in Ireland; (25.) I. 807

4. Manor Courts :

Bill for the abolition of manor courts and the better recovery of small debts in Ireland; (3.) - - - - - II. 211

Same [as amended in Committee]; (48.) - - - - - II. 219

5. Sale and Transfer of Land :

Bill to facilitate the sale and transfer of land by simplifying and consolidating the law relating to judgments, and by providing for the protection of purchasers against Crown debts in Ireland; (6.) - - - - - II. 741

II. *Report of Commissioners* :

Report of the Commissioners appointed to inquire into the duties of the officers and clerks of the Court of Chancery in Ireland, with Minutes of Evidence, &c.; [2473.] - - - - - XII. 361

Cowes and Newport (Isle of Wight) Railway :

Admiralty Report, under the Preliminary Inquiries Act, relative to the Cowes and Newport (Isle of Wight) Railway Bill; (50-21.) - - - XIII. 145

Report of the Board of Trade on the Cowes and Newport (Isle of Wight) Railway Bill; (6-LXXXIV.) - - - XIII. 519

Creditor and Debtor :

Bill, intituled, An Act to amend the Law of Debtor and Creditor, Bankruptcy, Insolvency, and Execution; (90.) - - - - - I. 591

Criminal Justice Act :

Copy of the letter addressed to the Secretary of State for the Home Department by the Governor of Wandsworth House of Correction, under the direction of the visiting justices of that prison, dated the 19th day of January 1859, relating to the recommitment of prisoners under the Criminal Justice Act; (96.)

XXII. 551

Criminal Law :

1. *Appeals in Criminal Cases.*
2. *Forgery.*
3. *Larceny.*
4. *Offences against the Person.*
5. *Remission of Penalties.*
6. *Coinage Offences.*

1. *Appeals in Criminal Cases* :

Bill to secure the right of appeal in criminal cases; (51.) [not delivered.] I. 21

2. *Forgery* :

Bill for consolidating and amending the laws relating to forgery; (112.) - I. 572

Criminal Law—continued.**3. Larceny :**

Bill to consolidate and amend the statute law of England and Ireland relating to larceny and other similar offences ; (117.) - - - - - II. 1

4. Offences against the Person :

Bill to consolidate and amend the statute law of England and Ireland relating to offences against the person ; (111.) - - - - - II. 363

5. Remission of Penalties :

Bill to amend the law concerning the remission of penalties ; (62.) - II. 645

6. Coinage Offences :

Bill to consolidate and amend the statute law of the United Kingdom against offences relating to the coin ; (114.) - - - - - I. 289

Criminal Lunatics :

Reports on the criminal lunatics in Bethlem Hospital 1 January 1859 ; time the same have been in Bethlem Hospital, admitted under Royal warrant, and discharged, between January 1852 and December 1858 ; with synopsis of offences of the criminal lunatics confined in Bethlem Hospital ; (in App. 204.) III. 364

Criminal Offences. see *Criminal Law.*

Criminal Offenders :

Number of criminal offenders committed for trial, convicted, and acquitted in England and Wales, Scotland and Ireland, respectively, during the years 1844-1858 ; [in 2517.] - - - - - XXVI. 45

Criminal Proceedings :

England and Wales :—Part I. Police, Criminal Proceedings, Prisons : Part II. Common Law, and Equity, Civil, and Canon Law ; [2508.] - XXVI. 339

Criminal Writings :

Bill to consolidate the statute law of England and Ireland relating to libellous and threatening writings ; (116.) - - - - - I. 577

Criminals, Ireland :

Return of the number of persons convicted of crime in each county in Ireland in 1857 and 1858 respectively ; showing in each instance the nature of the offence charged, and the sentence ; (252.) - - - - - XXII. 331

Criminals (Scotland) :

Classified abstracts of the criminal reports by sheriffs of counties and magistrates of boroughs in Scotland, for the period from 15th March 1858 to 29th September 1858 ; (53.) - - - - - XXII. 325

Crossmolina Dispensary :

Report from Dr. Geary, medical inspector, on the Crossmolina dispensary district, Ballina Union, 15th June 1858 ; [in App. 2491] - - - IX. 336

Crown Debts :

Bill to facilitate the sale and transfer of land by simplifying and consolidating the law relating to judgments, and by providing for the protection of purchasers against Crown debts in Ireland ; (6.) - - - - - II. 741

Crown Lands :

Net amount of the revenue from Crown lands of the United Kingdom paid into the Exchequer (after deducting payments for collection of revenue) 1844-1858 ; [in 2517.] - - - - - XXVI. 4

Crown Property :

Return of the gross and net income of the Woods and Forests, and other Crown property, in each year from 1816 to 1858, both inclusive ; and showing the sums of money expended in each year for general, current, and ordinary cost of management, and for improvements, less or more of a permanent nature, including draining, planting, building farm-houses, and such like objects ; also, an account of all sums received in each year for the sale of Crown properties and placed to capital account, and of all sums reinvested in new property from that fund ; (122.) - - - - - XIV. 365

see also *Woods and Forests.*

Cruelty to Animals :

Bill to amend the Acts for the more effectual prevention of cruelty to animals ;
(95.) [not delivered] - - - - - I. 589

Cullenan, Dr. :

Letter from Dr. Cullenan, medical officer of Ullid dispensary district, Waterford
Union, 3d November 1858 ; [in App. to 2491.] - - - - - IX. 336

Customs and Excise :

1. *Revenue.*
2. *Persons employed in Collecting.*
3. *Port of London.*
4. *Reciprocity Treaties.*
5. *Trade and Navigation.*

1. Revenue :

Return of the amount of Customs duties collected in each year from 1816 to 1858, both inclusive, exclusive of drawbacks and bounties, and distinguishing the cost of collection, and the net sum available for the Exchequer in each year ; also, of the amount of Excise duties, stamps, and taxes, as collected under the separate boards and the United Board of Inland Revenue, and showing the aggregate amount in each year, and distinguishing the cost of collection, and the net aggregate sum available for the Exchequer ; (101.) - - - - - XIV. 87

Net amount of the revenue from Customs of the United Kingdom paid into the Exchequer (after deducting payments for collection of revenue) 1844-1858 ; [in 2517.] - - - - - XXVI. 4

2. Persons employed in Collecting :

Numbers of persons employed in collecting the taxes paid into the Exchequer, distinguishing the number employed for the land, assessed, property and income tax, and those employed in the Excise department of the Inland Revenue, and the number employed in collecting the Customs dues ; (21.) - - - - - XIV. 341

3. Port of London :

Return of the dates, rank, salaries, and particulars of the cases of all persons employed in the Customs department of the port of London, who from January 1830 to December 1857 have been removed from office by the Board of Customs, and have been permitted to resume their duties without punishment ; or who have been reprimanded or reduced in rank, but retained in the service ; or dismissed or superseded, and who have been subsequently reinstated ; or have been granted a superannuation allowance upon their removal from service ; (64.)
XIV. 81

4. Reciprocity Treaties :

An account of the sums paid under the Act 59 Geo. 3, c. 54, and subsequent orders of the Lords Commissioners of the Treasury, in the year 1858, for the difference of rates and charges due to corporations, companies, or individuals, for foreign vessels, which, under treaties of reciprocity or otherwise, are admitted into the ports of the United Kingdom at the same rates of charge as British vessels ; specifying each of the several rates, on what account the same was paid, whether for light dues, dock dues, dues on ships or merchandise, pilotage, or otherwise :—Also, the total amount (under the reciprocity treaties) paid to such corporations, companies, or individuals, up to the 31st day of December 1858 (in continuation of Parliamentary Paper, No. 468, of Sess. 1858) : And, statement of the claims on the consolidated duties of customs, or on monies voted by Parliament on account of differential dues which have ceased, with the causes or presumed causes of their cessation ; (219.) - - - - - XXIV. 423

5. Trade and Navigation :

Trade and navigation accounts for the month ended 31st December 1858, and year ended 31st December 1858 ; and Customs duties and Excise accounts for each of the years 1856, 1857, 1858 ; (68.) - - - - - XXV. 1

Trade and navigation accounts for the month ended 31st January 1859 ; (68-I.)
XXV. 41

Trade and navigation accounts for the month ended 28th February 1859, and two months ended 28th February 1859 ; (68-II.) - - - - - XXV. 71

Trade and navigation accounts for the month ended 31st March 1859, and three months ended 31st March 1859 ; (68-III.) - - - - - XXV. 105

Trade and navigation accounts for the month ended 30th April 1859, and four months ended 30th April 1859 ; (68-IV.) - - - - - XXV. 139

D.

Dartmouth and Torbay Railway :

Admiralty Report, under the Preliminary Inquiries Act, relative to the Dartmouth and Torbay Railway Bill; (50-5.)	- - - - - XIII.	113
Report of the Board of Trade on the Dartmouth and Torbay Railway Bill; (6-xx.)	- - - - - XIII.	371.

Debentures, Railways :

Amount of the capital and loan which each railway company has been authorised to raise previous to 1859; distinguishing ordinary share capital and preference shares, the amount due on debentures, loan notes, &c.; the rate of interest payable thereon; also, amount each company retains power to raise by creating shares, or loans; length of lines open; also, returns relating to amalgamation of railway companies; (243.)	- - - - - XXV.	777
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Debt, National:

1. *Advances to Government.*
2. *Annuities.*
3. *Additions made.*
4. *Amount of.*
5. *Exchequer Bills and Balances.*
6. *Funded and Unfunded.*
7. *Income and Expenditure.*
8. *Military Savings Banks.*
9. *Receipts and Expenditure by the Commissioners.*
10. *Savings Banks.*

1. Advances to Government :

Applications made by the First Lord of the Treasury and the Chancellor of the Exchequer to the Governor and Deputy Governor of the Bank of England for advance to Government authorised by Parliament, from 5 January 1858 to 5 January 1859, &c.; (38.)	- - - - - XIV.	47
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2. Annuities :

Account of the gross amount of all bank annuities and long annuities, and any other annuities for terms of years transferred, and of all sums of money paid to the Commissioners for the Reduction of the National Debt; and the gross amount of annuities for lives and for terms of years which have been granted, under the provisions of the Acts 10 Geo. 4, c. 24, 3 Will. 4, c. 14, and 16 Vict. c. 45, within the year ending 5th January 1859; (in 270.)	- - - - - XIV.	39
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3. Additions made :

Account of all additions which have been made to the annual charge of the public debt by the interest of any loan that hath been made, or annuities created, in the last ten years (1849 to 1858 inclusive); presented in pursuance of an Act 27 Geo. 3, c. 13, s. 72; and also showing how the charge incurred in respect of the same has been provided for; (77.)	- - - - - XIV.	31
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4. Amount of :

Total amount of national debt at the end of each year 1844-1858; [in 2517.]	- - - - - XXVI.	7
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5. Exchequer Bills and Balances :

Accounts of Exchequer Bills, &c. purchased; balances of sums issued for dividends, and account of sums received and expended by the Commissioners for the Reduction of the National Debt; (37.)	- - - - - XIV.	43
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Exchequer Bills raised or authorised to be raised, charged on the aids or supplies of 1859 and unprovided for; (127.)	- - - - - XIV.	1
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Balances in the Exchequer at the end of each year, 1844-1851; [in 2517.]	- - - - - XXVI.	7
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6. Funded and Unfunded :

Returns showing the amount of the capital of the funded debt on the 1st day of July 1858, and on the 1st day of February 1859:—Of the amount of the unfunded debt at the dates:—And, of the amount of Exchequer Bills which have been funded between the 1st day of July 1858 and the 1st day of February 1859; the dates of such funding; the rates at which the conversions were effected; and the prices of consols and of Exchequer bills at such dates; (93.)	- - - - - XIV.	37
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7. Income and Expenditure :

Return of the public income and expenditure in each year from 1816 to 1858, both inclusive; also, statement showing the excess or deficiency of the income compared with the expenditure, and showing the additions to and reductions from the amount of the public debt in each year; (100.)	- - - - - XIV.	19
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Debt, National—*continued.*7. *Income and Expenditure*—*continued.*

- Account of the gross public income and expenditure for the year ended the 30th day of September 1858; together with the balance in the Exchequer at the commencement and at the termination of the year; and the amount of funded or unfunded debt created or redeemed in the said year:—And, like account for the year ended the 31st day of December 1858; (1.) - - - - XIV. 5
- Return of public income and expenditure for nine months, from the 31st day of March 1858 to the 31st day of December 1858, with the balance in the Exchequer on the 31st day of December 1858; (58.) - - - - XIV. 11
- Account of the gross public income and expenditure for the year ending the 31st day of March 1859; together with the balance in the Exchequer at the commencement and at the termination of the year, and the amount of funded or unfunded debt created or redeemed in the said year; (214.) - - - XIV. 15

8. *Military Savings Banks:*

- Account of the amount due by the public to depositors in military savings banks on the 31st March 1855, and of the receipts, interest, and disbursements in the said military savings banks during the year then next ensuing, ending on the 31st March 1856; together with the number of accounts open on the said 31st March 1856: also, an account of the sums paid over by the Secretary of State for War to the Commissioners for the Reduction of the National Debt for investment in bank annuities on account of the fund for military savings banks; and of the dividends reported to the Secretary of State for War by the said Commissioners, &c.: similar account for the year ended on the 31st March 1857; (191.) - - - - XV. 379
- Account of the gross amount of all monies received and paid by the Commissioners for the Reduction of the National Debt, and of the gross amount of stock bought and sold by and transferred to the said Commissioners, on account of "The Fund for the Military Savings Banks," pursuant to Act 8 & 9 Vict. c. 27, s. 5, from the 19th September 1845 to the 5th January 1859, both days inclusive; (in 270.) - - - - XIV. 39

9. *Receipt and Expenditure by the Commissioners:*

- Account of the gross amount of all sums received and paid by the Commissioners for the Reduction of the National Debt on account of banks for savings and friendly societies in Great Britain and Ireland, from their commencement at 6th August 1817 to the 20th November 1858 inclusive:—Also, an account of all expenses incurred by the said Commissioners for salaries of clerks, or other incidental charges, during the preceding year. Pursuant to 9 Geo. 4, c. 92, s. 48; (270.) - - - - XIV. 39

10. *Savings Banks:*

- Accounts of the number of depositors, and of charitable institutions and friendly societies depositing their funds in savings banks, and of the sums deposited, divided into classes, from 20 November 1857 to 20 November 1858 (in continuation of Parliamentary Paper, No. 57, of Session 1857-58); (262.) - XIV. 235
- Return of the weekly and total increase or decrease of sums paid or withdrawn by the trustees of savings banks, between 20 November 1857 and 20 November 1858, with the amounts of stock purchased or sold by the Commissioners for the Reduction of the National Debt, and amount of uninvested balances in the hands of the said Commissioners on account of savings banks, during the same period (in continuation of Parl. Paper, No. 57-1. of Session 1857-58); (262-1.) - XIV. 251

see also *Exchequer Bonds.* *Savings Banks.*

Debtor and Creditor:

- Bill, intituled, An Act to amend the Law of Debtor and Creditor, Bankruptcy, Insolvency, and Execution; (90.) - - - - I. 591

Debts, East India Revenue:

- Return of all stocks, loans, debts, and liabilities chargeable on the East India revenues, at home and abroad, up to the latest period of time to which such return can be made out; viz., England, 31 December 1858; India, 30 April 1857; (34.) - XIX. 67

Debts, (Parish) Payment of:

- Bill to provide for the payment of debts incurred by boards of guardians in unions and parishes and by boards of management in school districts; (36.) II. 435

Debts, Small (County Courts):

Bill to repeal the thirty-second section of the Act for the more easy recovery of small debts and demands in England, and to make further provision in lieu thereof; (58.) - - - - - I. 327

see also Committals (County Courts).

Debts, Small (Manor Courts, &c., Ireland):

Bill for the abolition of manor courts and the better recovery of small debts in Ireland; (33.) - - - - - II. 211

Same [as amended in Committee]; (48.) - - - - - II. 219

Deceased Wife's Sister:

Bill, intituled, An Act to legalize Marriage with a deceased Wife's Sister; (12.)
II. 269

Decimal Coinage:

Copy of the minutes of the proceedings, from the 1st day of May 1857, of the Commissioners to inquire into the subject of decimal coinage; (176.)
VIII. 421

Deeds:

Bill for consolidating and amending the laws relating to personation; (115.)
II. 399

Delhi, King of:

Copy of the evidence taken before the court appointed on the trial of the King of Delhi; (162.) - - - - - XVIII. 111

Deposits, Bank of England:

Quarterly averages of the weekly amount of deposits during the years 1844-1858; [in 2517.] - - - - - XXVI. 42

see also Bank of England.

Depositors, Savings Banks:

Number of depositors, and of charitable institutions and friendly societies depositing their funds in savings banks, and of the sums deposited, divided into classes, from 20 November 1856 to 20 November 1857 (in continuation of Parliamentary Paper, No. 57, of 1858); (262.) - - - - - XIV. 235

Weekly and total amounts of increase and decrease of sums paid in or withdrawn by the trustees of savings banks, between the 20th November 1857 and 1858; with the amounts of stock purchased or sold; the weekly and total amounts of expenses defrayed, and charged upon the fund of savings banks, and amount of dividends received and stock invested:—Similar return of the aggregate amount in 1858, and of the uninvested balances for 1857; (262-1.) - - - XIV. 251

see also Savings Banks.

Deptford District, Medical Officer of:

Copies of the complaint made (December 1857) by the Rev. C. S. F. Money, incumbent of St. John's, Deptford, against Dr. Arthur, medical officer of the Deptford district of the Greenwich Union, to the guardians of the Greenwich Union, and by them transmitted to the Poor-law Board, together with all the correspondence and subsequent proceedings and orders thereon, &c.; (157.) - XXIV. 595

Deptford Dockyard:

Statement of the dockyard area (including basins), with available land annexed; together with the number of building-slips and docks; (in 182.) - XIV. 703

Deputy Assistant Secretary at War:

Copy of any Order in Council or Minute of the Secretary of State for War, varying the civil establishment of the War Department as fixed by the Order in Council, bearing date the 6th day of June 1855, whereby the office of Deputy Assistant Secretary at War was abolished, and Colonel Mundy removed from his office of Permanent Under Secretary of State for War, with date of his appointment and removal:—And of any Treasury Minute granting a pension of 1,000*l.* a year to Colonel Mundy for loss of office when not receiving a like sum for his services from the public; (149.) - - - - - XV. 393

Deserted Children (Ireland) :**I. Bill.****II. Accounts and Papers :**

1. Religious Registration of
2. Urlingford Workhouse.

I. Bill :

Bill to amend the Acts for the relief of the destitute poor in Ireland by removing doubts as to the religious registration in workhouses of deserted children, and providing for the out-door maintenance of orphan and deserted children ; (65.)

II. 455

II. Accounts and Papers :**1. Religious Registration of :**

Opinions given by Her Majesty's law advisers on the subject of the religious registration of deserted children in Ireland ; (151.) - - - XXIV. 659

2. Urlingford Workhouse :

Application of the chaplain of the Urlingford Workhouse, in the year 1854, for two deserted or foundling children therein ; namely, John and Richard Fatunati ; and the reply or resolution of the board of guardians thereto, and correspondence thereon ; (150.) - - - - - XXIV. 641

Desertions and Enlistments. see *Army*, II. 5. *Navy*, IV. 17. ii.

Designs Registration :

Estimate of sum to be voted on account of designs registration, 1859-60 ; (in 186.)
XIV. 852

Dhar, Principality of. see *East India*, V. 9.

Differences between Masters and Workmen :

Bill to establish equitable councils of conciliation and arbitration to adjust differences between masters and operatives ; (42.) - - - - - II. 283

Diocesan Courts (Ireland) :

Bill, intituled, An Act for the union of the Diocesan Courts and Registries in Ireland ; for the regulation of the mode of Procedure therein, and also in the Metropolitan Courts of Armagh and Dublin, and for Appeals therefrom ; (76.) - I. 677

Diphtheria :

Report as regards the epidemic of diphtheria ; [in 2512.] - - - - - XII. 279

Disease, Prevention of :

Proceedings taken during the year 1858 under the Public Health Act of that year, regarding local inquiries relative to the prevalence and prevention of disease ; [in 2512.] - - - - - XII. 266
see also *Health, Public*.

District Post Office :

Returns of the number of letter carriers employed in each division of the London District Post Office ; the average amount of weekly salary paid to each postman thus employed, and the number of hours on duty each day ; (263.)
XIV. 173

Dividends :

An account of the amount of balances of sums issued for the payment of dividends due and not demanded, and for the payment of lottery prizes or benefits which had not been claimed, and which remained in the hands of the Governor and Company of the Bank of England on the undermentioned days, being those next before the issue from the Exchequer of money for the payment of dividends on account of the national debt, for each of the four preceding quarters respectively, pursuant to 48 Geo. 3, c. 4 ; (in 37.) - - - - - XIV. 43

Divine Service. see *Army*, II. 1.

Divorce and Matrimonial Causes Court :

Return of persons appointed to any office, with their salaries and emoluments, for 1858, stating whether such persons hold any other office ; number of applications to the court since January 1858 : cases in which dissolutions have been decreed ; cases undefended or set down for trial ; number appointed for trial before a full court, with or without a jury, or by a single judge ; number of days occupied by the court in all the above cases ; (269.) - - - - - XXII. 89

Divorce and Matrimonial Causes Court—continued.

Return of the rules and regulations concerning the practice and procedure, or fixing or regulating fees made by the Court for Divorce and Matrimonial Causes, together with the return of all fees and monies levied in the year ended 31 December 1858; also, return of the annual salaries of the judge ordinary, and of persons holding offices in the said court; (106.) - - - - - XXII 71

see also Probate, Court of.

Docks. *see Harbours, &c. Bills. Piers and Harbours.*

Docks Dues :

Account of the sums paid under the Act 59 Geo. 3, c. 54, and subsequent orders of the Lords Commissioners of the Treasury, in the year 1858, for the difference of rates and charges due to corporations, companies, or individuals, for foreign vessels, which, under treaties of reciprocity or otherwise, are admitted into the ports of the United Kingdom at the same rates of charge as British vessels, &c.; (219.) - - - - - XXV. 423

Dockyards :

Statement showing the number of persons employed in the several dockyards and factories at home since the year 1838-39 (extracted from the accounts showing the number actually paid; (in 182.) - - - - - XIV. 730

Dockyards (England and France) :

Comparative statement of the dockyard area (including basin) of England and France, with available land annexed, together with the number of building-slips and docks; (in 182.) - - - - - XIV. 723

Doctors' Commons :

Copy of a communication (with papers), addressed on the 9th day of June 1858 to the Secretary of State for the Home Department, relating to the College of Advocates, Doctors' Commons; (16.) - - - - - XXII. 19

Donaghadee Harbours :

Copies of a report addressed to the Secretary of the Admiralty by Captain George Evans, R. N., dated the 31st day of July 1846, upon the several ports and harbours of Larne, Loch Ryan, Portpatrick, Donaghadee, and Belfast, surveyed by order of the Lord Commissioners of the Admiralty:—Of any memorials or communications addressed to the Lords of the Treasury in 1855 and 1856, from persons praying for inquiry as to the shortest and best sea passage between the North of Ireland and Scotland:—And, of the reports of Captains Vetch and Washington, in January 1856; with copies of Treasury Minute, dated the 15th day of August 1856, and of all subsequent minutes, correspondence, reports, and estimates, in reference to the improvement of Portpatrick and Donaghadee Harbours; (104.) - - - - - XXV. 379

Downpatrick Union :

Report from Dr. Knox, medical inspector, on the Portadown dispensary district, Downpatrick Union; [in App. to 2491.] - - - - - IX. 336

Drainage, Metropolitan :

Copy of letter to the Right Honourable Lord John Manners, M. P., First Commissioner of Her Majesty's Works, from the Government referees for the main drainage of the metropolis, upon the "Brief Observations of Messrs. Bidder, Hawksley, and Bazalgette, on the answer of the Government referees to Messrs. Bidder, Hawksley, and Bazalgette's report to the Metropolitan Board of Works upon the report of the referees;" (26.) - - - - - XXIII. 301

Drainage (New Windsor) :

Report on the state of the drainage, &c., of New Windsor; [in 2512.] XXII. 287

Drink, Adulteration of :

Bill for preventing the adulteration of articles of food or drink; (37.) - I. 5

Dublin and Drogheda Railway :

Report of the Board of Trade on the Dublin and Drogheda Railway Bill; (6-xx1.) - - - - - XIII. 373

Dublin, Income Tax :

Return of income tax assessed upon the county and city of Dublin for each of the years 1856, 1857, and 1858, ending the 1st day of April; the amount collected or in arrear at the close of each year; and showing any deficiency caused by the defalcation of income tax collectors or their assistants; the names of any such defaulters and their sureties, with amount of each security; the date of closing each year's collection, and issuing the schedules and book for the ensuing year; (218.) - - - - - XIV. 133

Dublin Metropolitan Police:

Estimate of sum to be voted on account of Dublin metropolitan police grant in aid, 1859-60; (in 186.) - - - - - XIV. 851

Dublin and Wicklow Railway:

Report of the Board of Trade on the Dublin and Wicklow Railway Bill; (6-xxii.) - - - - - XIII. 375

Dublin Skerries;

Opinion of the Harbour of Refuge Commissioners on Dublin Skerries as a harbour of refuge; [in 2474.] - - - - - X. Part I. 11

Duchy of Cornwall:

Account of the receipts and disbursements of the Duchy of Cornwall for the year ended 31st December 1858; (5.) - - - - - XIV. 99

Duchy of Lancaster:

Account of the receipts and disbursements of the Duchy of Lancaster in the year ended on the 21st December 1858; also, a separate account of the capital of the said duchy for the same period; (124.) - - - - - XIV. 105

Dumdum Barrack, East India, Mortality at:

Copy of any reports or correspondence which may have been received in the department of the Secretary of State for War, or the Secretary of State for India, on the subject of the mortality which occurred in the year 1858 among the women and children quartered in the barrack at Dumdum, in the Presidency of Bengal; (131.) - - - - - XIX. 275

Dundalk and Enniskillen Railway:

Admiralty Report, under the Preliminary Inquiries Act, relative to the Dundalk and Enniskillen Railway Bill; (50-25.) - - - - - XIII. 153

Report of the Board of Trade on the Dundalk and Enniskillen Railway Bill; (6-lxxxv.) - - - - - XIII. 521

Dundee and Newtyle Railway:

Report of the Board of Trade on the Dundee and Newtyle Railway Bill; (6-xxiii.) - - - - - XIII. 377

Dungarvan Harbour Embankment:

Admiralty Report, under the Preliminary Inquiries Act, relative to the Dungarvan Harbour Embankment Bill; (50-48) - - - - - XIII. 205

Durham:

Benefices within the diocese of Durham to which grants have been made out of the Maltby Fund, towards providing parsonage houses, during the year preceding the 1st November 1858; [in App. to 2480.] - - - - - XII. 146

E.**East India:**

- I. *Bill.*
- II. *Report of Select Committee.*
- III. *Reports of Commissioners.*
- IV. *Estimates.*
- V. *Accounts and Papers:*

1. Mutiny.
2. Army:
 - i. Artillery.
 - ii. Sea Kit
 - iii. Mortality at Dumdum.
 - iv. Royal Indian Military College (Addiscombe).
3. Finance and Revenue:
 - i. Financial Despatches.
 - ii. Loans and Debt.
4. India Office:
 - i. Establishment.
 - ii. Civil Service Examinations.
5. Education.

6. Judicial Proceedings.
7. Oude Proclamation:
 - i. Governor General.
 - ii. Sir James Outram.
8. Governor General.
9. Dhar, Principality of.
10. King of Delhi.
11. Enam, Lands in.
12. Hudson, Mr., &c.
13. Native Worship.
14. Nizam, The, &c.
15. Punjab:
 - i. Reports.
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16. Railways.

*East India—continued.**I. Bill:*

Bill to enable the Secretary of State in Council of India to raise money in the United Kingdom for the service of the Government of India; (57.) - I. 647

II. Report of Select Committee:

Report from the Committee appointed to inquire into the progress and prospect, and the best means to be adopted for promotion of European colonisation and settlement of India, &c., as well as for the extension of our commerce in Central Asia; (198.) - IV. 1

III. Reports of Commissioners:

Report of commissioners appointed to inquire into the organisation of the Indian army; with Minutes of Evidence; [2515.] - V. 1

Report of Major General Hancock on the organisation of the Indian army; [2516.] - V. 611

IV. Estimates:

Estimate of the receipts and disbursements of the home treasury of the Secretary of State for India in Council, from 1st May 1859 to 30th April 1860; (70.)

XIX. 1

*V. Accounts and Papers:**1. Mutiny:*

Return of the name or number of each regiment and regular and irregular corps in India, which has mutinied or manifested a disposition to mutiny, since 1st January 1857; of the number of officers and men present with each regiment and corps at the outbreak of the mutiny; of the date of the first intimation received by any officer of the regiment or corps being disposed to mutiny; and of the date when information thereof was received by the Governor General of India or the Governor of Bombay, &c.; (133.) - XVIII. 1

Papers relating to the mutiny in the Punjab in 1857; (238.) - XVIII. 307

*2. Army:**i. Artillery:*

Copies of Correspondence between the late Court of Directors, the President of the late Board of Control, and the present Secretary of State for India, respecting the artillery forces in India, from the commencement of the late mutiny to the present date; (216.) - XIX. 73

ii. Sea Kit:

Return of the sea kit supplied to soldiers on embarking for India, setting forth the different articles, and the charge for each respectively, and showing how the expense is defrayed; also, the India kit and bedding (adapted to the climate) as supplied to the Queen's troops on arriving in India, setting forth the articles supplied, the prices of each, and how the expense is defrayed; (74.) XIX. 71

iii. Mortality at Dumdum:

Copy of any reports or correspondence which may have been received in the department of the Secretary of State for War, or the Secretary of State for India, on the subject of the mortality which occurred in the year 1858 among the women and children quartered in the barrack at Dumdum, in the Presidency of Bengal; (131.) - XIX. 275

iv. Royal Indian Military College (Addiscombe):

Regulations for the admission of candidates for cadetship in the Engineers and Artillery of Her Majesty's Indian forces, and of the regulations for the infantry department of the Royal Military College; (209.) - XIX. 217

*3. Finance and Revenue:**i. Financial Despatches:*

Copy of financial despatches between the Government of India and the Secretary of State for India, respecting new loans required for India (in continuation of Parliamentary Papers, Nos. 55 and 69, of the present Session): And, of all notifications of the Government of India concerning the public debt (in continuation of Parliamentary Paper, No. 179, of Session 1858); (189.) - XIX. 33

Extracts from financial letters from the Government of India; (69.) - XIX. 55

Letter, dated East India House, London, 31st December 1858, relative to revenue; (72.) - XIX. 63

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3. Finance and Revenue—i. Financial Despatches—continued.

- Financial despatch to the Government of India, dated 19th January 1859, No. 6; review of the finances of India, as shown in the actual accounts of 1856-57, and as estimated for 1857-58, and 1858-59; (54.) - - - XIX. 15
- Financial despatch, 31st January 1859, and estimate of receipts and disbursements of the Home Treasury, from 1st May 1859 to 30th April 1860; (55.) XIX. 53
- Copies of financial despatch from India, dated 22 February 1859, No. 28; and of financial despatch to India, dated 31 March 1859, No. 26; (187.) - XIX. 11

ii. Loans and Debts:

- Return of all stocks, loans, debts, and liabilities chargeable on the East India revenues at home and abroad, up to the latest period of time to which such return can be made out, viz. England, 31st December 1858; India, 30th April 1857; (34.) - - - - - XIX. 67
- Return of all monies raised on loan under the provisions of the Act 21 Vict. c. 3, (35.) - - - - - XIX. 61
- Subscriptions to the five per cent. loan, opened 16th January 1857, in India; (56.) - - - - - XIX. 59
- Account of the receipts and disbursements of the Home Treasury of the Government of India, from 1st May 1858 to 30th April 1859; the last three months estimated; estimate of the receipts and disbursements of the Home Treasury of the Government of India, from 1st May 1859 to 30th April 1860; statements of the sums subscribed to each of the public loans open in India, in each month from 1st January 1851, &c.; (190.) - - - - - XIX. 3

4. India Office:

i. Establishment:

- Order in Council approving a scheme for the permanent establishment of the Secretary of State for India in Council, submitted to Her Majesty under the 21 & 22 Vict. c. 106, s. 15; (40.) - - - - - XIX. 237

ii. Civil Service Examinations:

- Regulations made by the Secretary of State for India in Council, with the advice and assistance of the Civil Service Commissioners, for the examination of candidates for admission to Her Majesty's civil service of India; (39.) - XIX. 243
- Examination papers set for an open competition for eight writerships in the India House; [in 2511.] - - - - - VIII. 131
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1. *As connected with Parliamentary Representation :*

Amended Return of the amount of property assessed to the income tax, for the year ended the 5th day of April 1857, under Schedules (B.) and (D.), in each county in the United Kingdom, exclusive of and distinguished from that charged in the Parliamentary cities or boroughs : and, similar Return for each Parliamentary city or borough ; (2.) - - - - -	XXIII. 223
Return, showing the amount of the property and income tax, under Schedules (A.), (B.), (D.) and (E.), charged in each borough within the United Kingdom, and in each county and division of a county separately from the boroughs within the same, and also the total amount under the said schedules, in each case, for the year ending the 5th day of April 1857 : an abstract to be appended to the Return, showing the general results, as between counties and boroughs, and distinguishing between England and Wales, and Scotland and Ireland ; (123.) - - - - -	XXIII. 231
Return of all cities and boroughs in England and Wales paying an annual amount of direct taxation (property, income, &c., and assessed) less than 4,500 £., arranged in the order of the amount paid by each, and setting forth such amount ; also, distinguishing by italics those cities and boroughs which are included in Schedule (G.) of the Representation of the People Bill ; (201.) - - - - -	XXIII. 259

2. *Collectors :*

Return of the number of persons employed in collecting the taxes paid into the Exchequer, distinguishing the number employed for the land, assessed, property, and	
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Income Tax—continued.**2. Collectors—continued.**

and income tax, and those employed in the Excise department of the Inland Revenue, and the number employed in collecting the Customs dues; (21.) - - - - - XIV. 341

3. Dublin :

Return of income tax assessed upon the county and city of Dublin for each of the years 1856, 1857, and 1858, ending the 1st day of April; the amount collected or in arrear at the close of each year; and showing any deficiency caused by the defalcation of income tax collectors or their assistants; the names of any such defaulters and their sureties, with amount of each security; the date of closing each year's collection, and issuing the schedules and book for the ensuing year; (218.) - - - - - XIV. 133

see also *Property and Income Tax*.

Increase and Diminution (Public Offices) :

Increase and diminution in 1858, in the number of persons employed in all public offices or departments, or in the salaries, emoluments, allowances, or expenses, for and in respect of all officers and persons belonging to, or employed in or by, or in the service of, all public offices or departments, specifying the amount and nature thereof; and distinguishing retired allowances or superannuations; and specifying the grounds of every such increase or diminution; (164.) - - - - - XIV. 227

Incumbered Estates (Ireland) :**I. Bill.****II. Account.****I. Bill :**

Bill for the abolition of receivers under the Court of Chancery in Ireland in certain cases, and for giving further facilities to the sale of incumbered estates; (8.) - - - - - II. 539

II. Account :

Salaries of the judges and other officers of the Landed Estates Court in Ireland, and of the compensations allotted to the several retired officers of the Incumbered Estates Court, under the statute 21 & 22 Vict. c. 72; (161.) XXII. 165

India, Colonization and Settlement of :

Report of Committee appointed to inquire into the progress and prospect and the best means to be adopted for promotion of European colonization and settlement in India, &c., as well as for the extension of our commerce in Central Asia; (198.) - - - - - IV. 1

India Kit. see *Indian Army*, II. 5.

Indian Army :**I. Reports :**

1. Report of the Commissioners.
2. Report of Major General Hancock.

II. Accounts and Papers :

1. Addiscombe Royal Indian Military College.
2. Artillery.
3. Mortality at Dumdum.
4. Mutiny.
5. Sea Kit, India Kit, and Bedding.

I. Reports :

1. Report of the Commissioners:

Report of the Commissioners appointed to inquire into the organization of the Indian Army with Minutes of Evidence; [2515.] - - - - - V. 1

2. Report of Major General Hancock :

Report of Major General Hancock on the organization of the Indian Army; [2516.] - - - - - V. 611

II. Accounts and Papers :

1. Addiscombe Royal Indian Military College :

Copies of regulations for the admission of candidates for cadetships in the Engineers and Artillery of Her Majesty's Indian forces; and, of regulations for the Junior or Infantry department of the Royal Indian Military College; (209.)

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Indian Army—continued.**II. Accounts and Papers—continued.****2. Artillery :**

Copies of correspondence between the late Court of Directors, the President of the late Board of Control, and the present Secretary of State for India, respecting the artillery force in India, from the commencement of the late mutiny to the present date; (216.) - - - - - XIX. 73

3. Mortality at Dumdum :

Reports or correspondence which may have been received in the department of the Secretary of State for War, or the Secretary of State for India, on the subject of the mortality which occurred in the year 1858 among the women and children quartered in the barrack at Dumdum, in the Presidency of Bengal; (131.)

XIX. 275

4. Mutiny :

Return of the name or number of each regiment and regular and irregular corps in India which has mutinied, or manifested a disposition to mutiny, since 1 January 1857; of the number of officers and men present with each regiment and corps at the outbreak of the mutiny; of the date of the first intimation received by any officer of the regiment or corps being disposed to mutiny; and of the date when information thereof was received by the Governor General of India, or the Governor of Bombay, &c.; (133.) - - - - - XVIII. 1

Papers relating to the mutiny in the Punjab in 1857; (238.) - XVIII. 307

5. Sea Kit, India Kit, and Bedding :

Return of the sea kit supplied to soldiers on embarking for India, setting forth the different articles, and the charge for each respectively, and showing how the expense is defrayed; also, the India kit and bedding (adapted to the climate) as supplied to the Queen's troops on arriving in India, setting forth the articles supplied, the prices of each, and how the expense is defrayed; (74.) XIX. 71

Indian Loan :

Bill to enable the Secretary of State in Council of India to raise money in the United Kingdom, for the service of the Government of India; (57.) - I. 647

Indian Railways :

Contracts or agreements entered into by the East India Company, or by the present Council for India, with any company formed for making railways, public roads, canals, works for irrigation, or other public works in India, by which contracts or agreements a rate of interest is guaranteed upon the capital of such companies already paid up, or hereafter to be paid up, &c.; (259.) - XIX. 636

Indictments, Vexatious :

Bill, intituled, An Act to prevent vexatious Indictments for certain Misdemeanors; (107.) - - - - - II. 919

Industrial Schools :

Return showing the amount of grants which have been made by the Committee of the Privy Council on Education to reformatories, ragged industrial schools, or other institutions, in England and Scotland, in accordance with the minute, dated 2 June 1856, from that date to 31 December 1857, &c.; (227.) XXV. Part II. 125

Infirmaries, Public (Ireland) :

Estimate of sum to be voted on account for superannuation and retired allowances of public infirmaries, Ireland, 1859-61; (in 186.) - - - XIV. 852

Injuries (Malicious) :

Bill to consolidate and amend the statute law of England and Ireland relating to malicious injuries to property; (113.) - - - - - II. 189

Inland Letters, Prepayment of Postage on :

Letter from the Postmaster General, dated the 24th day of February 1859, and minute and memorandum prepared by the Secretary to the Post Office, relative to the regulation recently promulgated as to the compulsory prepayment of postage on inland letters inclosed therein; also Treasury warrant repealing the warrant of the 29th day of January 1859, which requires compulsory prepayment of inland letters; (87.) - - - - - XIV. 165

Inland Revenue :

1. *Persons employed in Collecting.*
2. *Amount of Duties.*

1. *Persons employed in Collecting :*

Number of persons employed in collecting the taxes paid into the Exchequer, distinguishing the number employed for the land, assessed, property, and income tax, and those employed in the Excise department of the Inland Revenue, and the number employed in collecting the Customs dues ; (21.) - - XIV. 341

2. *Amount of Duties :*

Return of the amount of Customs duties collected in each year from 1816 to 1858, both inclusive, exclusive of drawbacks and bounties, and distinguishing the cost of collection, and the net sum available for the Exchequer in each year ; also, of the amount of Excise duties, stamps, and taxes, as collected under the separate Boards and the united Board of Inland Revenue, and showing the aggregate amount in each year, and distinguishing the cost of collection, and the net aggregate sum available for the Exchequer ; (101.) - - - XIV. 87

see also *Parliamentary Representation.*

Insolvency :

Bill to amend and consolidate the laws relating to bankruptcy and insolvency ; (22.) - - - - - I. 23

Bill, intituled, An Act to amend the Law of Debtor and Creditor, Bankruptcy, Insolvency, and Execution ; (90.) - - - - - I. 591

see also *Bankruptcy and Insolvency.*

Inspectors' Reports. see *Coal Mines.* *Factories.* *Schools.*

Internal Communication (Ireland) :

Bill to facilitate the internal communication in Ireland by means of tramroads or tramways ; (9.) - - - - - II. 875

Same [as amended in Committee] ; (74.) - - - - - II. 897

Invalids. see *Navy.* IV. 17. iii.

Inventions (Patents for Munitions of War) :

Bill to amend the law concerning patents for inventions with respect to inventions for improvements in instruments and munitions of war ; (87.) - - II. 389

Ipswich (Borough) Fishery :

Admiralty Report under the Preliminary Inquiries Act, relative to the Ipswich Borough Fishery Bill ; (50-38.) - - - - - XIII. 179

Ireland and England, Communication between :

Contracts entered into by the Government for improving the postal and passenger communication between England and Ireland *via* Holyhead ; (138.) XIV. 177

Ireland, North and East Coasts of :

Report by the Commissioners on harbours of refuge on the north and east coasts of Ireland ; [in 2474.] - - - - - X. Part I. 11

Irish Reproductive Loan Fund :

Account of receipts and disbursements on account of the Irish Reproductive Loan Fund, to 31 December 1858 (pursuant to the Act of 11 & 12 Vict., c. 115, s. 14.) ; (60.) - - - - - XIV. 137

Iron Ordnance Factory (Woolwich) :

Return of the total expenditure for one year, ending the 31st day of March 1859, upon the establishment for the manufacture of iron ordnance at Woolwich, separately specified under the following heads, viz., buildings, machinery, stores, salaries, wages, and miscellaneous expenses ; the number of each description of ordnance cast ; their calibre, distinguishing those proved, completed, and placed ready for service in store from those rejected as being found imperfect before or after proof, whilst in course of completion (in continuation of Parliamentary Paper, No. 423, of Session 1858) ; (247.) - - - - - XV. 369

Isle of Man :

I. *Bills.*II. *Accounts and Papers.*I. *Bills :*

Bill to enable the judges to appoint Commissioners within ten miles of London, and in the Isle of Man, and the Channel Islands, to administer oaths in common law; (53.) - - - - - I. 11

Bill to enable the judges to appoint Commissioners within ten miles of London and in the Isle of Man and the Channel Islands to administer oaths in common law, and to authorise the taking in the country of bail in error, and recognizances and bail on the revenue side of the Exchequer; (64.) - - - - - I. 15

II. *Accounts and Papers :*

Return showing the number and tonnage of boats, number of men and boys engaged, and value of boats, nets, and lines employed in the fisheries and belonging to the Isle of Man, in the year 1858; [in App. to 2506-1.]

X. Part I. 66

Memorial of inhabitants of the Isle of Man to Her Majesty's Treasury praying for the erection of a pier at Port Erin, with Treasury reply thereunto; [in App. to 2506-1.] - - - - - X. Part I. 66

Isle of Wight Ferry :

Admiralty Reports, under the Preliminary Inquiries Act, relative to the Isle of Wight Ferry Company's Bill; (50-23.) (50-49.) - - - - - XIII. 149. 211

Report of the Board of Trade on the Isle of Wight Ferry Bill; (80-v.) XIII. 49

Isle of Wight Railway, Eastern Section :

Admiralty Report under the Preliminary Inquiries Act relative to the Isle of Wight Railway (Eastern Section) Bill; (50-26) - - - - - XIII. 155

Report of the Board of Trade on the Isle of Wight Railway, Eastern Section; (6-cxxx1.) - - - - - XIII. 647

Itinerant Inoculators :

Power given to Boards of Guardians by the recent Act to pay the costs of proceedings against itinerant inoculators; [in 2491.] - - - - - IX. 335

J.

James, St., Baldersby Marriages Validity :

Bill to render valid certain marriages in the church of St. James Baldersby, in the county of York; (73.) - - - - - II. 721

Jews Act :

Report from the Select Committee on the Jews Act, together with the Proceedings of the Committee and Minutes of Evidence; (205.) - - - - - III. 35

Johnson, J. E. :

Paper delivered in by John Edward Johnson, Esq., relative to the establishment of the Surrey Lunatic Asylum, 25th March 1859; (in App. to 204.) - III. 363

Joint Stock Companies Registration :

Estimate of sum to be voted on account of joint stock companies registration, 1859-60; (in 186.) - - - - - XIV. 852

Judgments, Ireland :

Bill to facilitate the sale and transfer of land by simplifying and consolidating the law relating to judgments, and by providing for the protection of purchasers against Crown debts in Ireland; (6.) - - - - - II. 741

Judicial Officers (Colonies) :

Return of the names, salaries, date of appointment, and nature of office of all judicial officers, law officers of the Crown, and other principal officers connected with the administration of justice in the colonies, and specifying such officers as shall have belonged to the legal profession in England, Ireland and Scotland respectively; (239.) - - - - - XVII. 409

Judicial Statistics :

England and Wales. Part I. Police, Criminal Proceedings, Prison. Part II. Common Law and Equity. Civil and Common Law; [2508.] XXVI. 339

Juries (Ireland) :

Bill to consolidate and amend the laws relating to juries in Ireland; (25.) I. 807

Jury, Trial by (Scotland) :

Bill to amend an Act of the 17th and 18th years of Her Majesty, for allowing verdicts on trials by jury in civil causes in Scotland to be received, although the jury may not be unanimous; (46.) - - - - - II. 543

Justices, Clerks to :

Return of sessions at which the clerks to justices are paid by salaries, the extent of the jurisdiction, and the amount of salaries; (24.) - - - - - XXII. 245

Justiciary, Court of :

Estimate of sum to be voted on account of Court of Justiciary salaries and expenses, 1859-60; (in 186.) - - - - - XIV. 851

K.**Kavanagh, Mr. :**

Correspondence, from July 1857, between the Commissioners of National Education in Ireland, and Mr. James Kavanagh; also the return of names of members appointed on special committee in reference to Mr. Kavanagh; Report of Committee, &c.; (254.) - - - - - XXI. Part II. 131

Kells Union :

Report from Dr. Hill, medical inspector, on the prevalence of scarlatina in Nobber Dispensary District, Kells Union, 24 August 1858; [in App. to 2491.] IX. 336

Report from Dr. Taffe, medical officer of Nobber Dispensary District, Kells Union, 14 August 1858; [in App. to 2491.] - - - - - IX. 336

Kensington, Parish :

Return of the population and number of houses, according to the census of 1851, in each of the places named in Schedule 1 in the Representation of the People Bill, and in the parishes of Chelsea, Kensington, and Hammersmith respectively: number of persons rated to the poor at 10*l.* and upwards: also at 6*l.* and upwards; (153.) - - - - - XXIII. 201

Kensington Station and North and South London Junction Railway :

Report of the Board of Trade on the Kensington Station and North and South London Junction Railway Bill; (6-xxxv.) - - - - - XIII. 403

Keyham Dockyard :

Statement of the dockyard area including basins) with available land annexed, together with the number of building slips and docks; (in App. to 182.) XIV. 732

Khan, Khirat Allie :

Correspondence, minutes, and orders of the late Court of Directors and the Board Control, of the Government of India, the Government of Bombay, the political agent for Rajpootana, the magistrate and superintendent of police at Bombay, and of any depositions taken by them respecting the departure of Mr. Hudson, Syed Uckber Ally, and Khirat Allie Khan from England, and their arrest and detention, and discharge from such arrest, in Bombay; and all subsequent correspondence and papers relating to those events; (125.) - - - XVIII. 73

Killamagh Dispensary :

Report from Dr. Geary, medical inspector, on the Killamagh Dispensary District, Swineford Union, 25 October 1858; [in App. to 2491.] - - - IX. 336

Kilmore Pier :

Memorial soliciting a further grant of money to complete pier, &c. at Kilmore, county of Wexford; [in App. to 2506-1.] - - - - - X. Part I. 66

King Charles I., Martyrdom of. see *Occasional Forms of Prayer.*

King Charles II., Restoration of. see *Occasional Forms of Prayer.*

Kingsbridge and South Devon Railway :

Report of the Board of Trade on the Kingsbridge and South Devon Railway Bill; (6-xxxvi.) - - - - - XIII. 405

King's Lynn Borough and Port and Harbour Improvement :

Admiralty report under the Preliminary Inquiries Act, relative to King's Lynn Borough and Port and Harbour Improvement Bill ; (50-43) - XIII. 191

Report of the Board of Trade on the King's Lynn Borough and Port and Harbour Improvement Bill ; (80-x.) - XIII. 81

Kingston-upon-Hull :

Letters since 26th of June 1858, between the Secretary of State for War, or the Commissioners of Woods and Forests, and the Park and Recreation Grounds Committee, in reference to the site of the citadel of Hull ; also correspondence between the corporation of Kingston-on-Hull and the Treasury, as to Hull citadel ; also, correspondence with reference to the sale of the citadel site, Hull, between the Hull Dock Company and the War Department, and the Office of Woods and Forests (160.) - XXV. 357

Kingston-upon-Hull Docks :

Admiralty report under the Preliminary Inquiries Act, relative to the Kingston-upon-Hull Docks Bill ; (50-44) - XIII. 193

Report of the Board of Trade on the Kingston-upon-Hull Docks Bill ; (80-vi.) XIII. 51

Kingstown Harbour :

Abstract compiled from local returns, and returns of the number of vessels taking refuge in the harbour of Kingstown, 1850-1858 ; [in App. to 2536-i.] X. Part I. 66

Estimate sum to be voted on account of Kingstown Harbour, 1859-60 ; (in 186.) - XIV. 850

Kirkwall Harbour :

Admiralty Report under the Preliminary Inquiries Act, relative to the Kirkwall Harbour Bill ; (50-3.) - XIII. 109.

Report of the Board of Trade in the Kirkwall Harbour Bill ; (80-vii.) XIII. 71

Knox, Dr.

Report from Dr. Knox, medical inspector, on the Portadown Dispensary District, Downpatrick Union ; [in App. to 2491.] - IX. 336

L.**Labuan :**

Estimate of sums to be voted on account of Labuan, 1859-60 ; (in 186.) XIV. 852

Lancaster and Carlisle Railway :

Admiralty Report under the Preliminary Inquiries Act, relative to the Lancaster and Carlisle Railway Bill ; (50-17) - XIII. 137

Report of the Board of Trade on the Lancaster and Carlisle Railway Bill ; (6-cxxxii.) - XIII. 646

Lancashire and Yorkshire Railway (Ossett and Duxbury Branches) :

Report of the Board of Trade on the Lancashire and Yorkshire Railway (Ossett and Duxbury Branches) Bill ; (6-xxxvii.) - XIII. 407

Lancashire and Yorkshire Railway (Rochdale and Royton Branches) :

Report of the Board of Trade on the Lancashire and Yorkshire and Yorkshire Railway (Rochdale and Royton Branches) Bill ; (6-xxxviii.) - XIII. 409

Lancashire and Yorkshire and East Lancashire Railway Companies :

Report of the Board of Trade on the Lancashire and Yorkshire and East Lancashire Railway Companies Bill ; (6-cxlvii.) - XIII. 695

Lancaster, County Palatine, Magistrates :

Return of all magistrates created for the County Palatine of Lancaster 1854-1858 ; and the date of each appointment ; (98.) - XXII. 241

Lancaster, Duchy of :

Account of the receipts and disbursements of the Duchy of Lancaster, in the year ended on the 21st December 1858 ; also, a separate account of the capital of the said duchy, for the same period ; (124.) - XIV. 105

Land and Landed Property :*Bills :*

1. Charitable Uses, Conveyance of Lands for.
2. Inclosure of Lands.
3. Real Estate Intestacy.
4. Recreation Grounds, Grants for.
5. Registry of Landed Estates.
6. Sale and Transfer of (Ireland)
7. Title to Landed Estates, Simplification of.
8. Titles to Land (Scotland) Act, Extension and Amendment.
9. Trustees Relief and Law of Property Amendment.
10. War Department, Purchase of Common Rights by.

Bills :

1. Charitable Uses, Conveyance of Lands for :
Bill to amend the law relating to the Conveyance of Lands for Charitable Uses ;
(82.) - - - - - I. 253
2. Inclosure of Lands :
Bill to authorize the inclosure of certain lands in pursuance of a report of the
Inclosure Commissioners for England and Wales ; (34.) - - - I. 803
3. Real Estate Intestacy :
Bill for the better settling the real estates of intestates ; (23.) - - II. 535
4. Recreation Grounds, Grants for :
Bill to facilitate grants of land to be made near populous places for the use of
regulated recreation of adults, and as playgrounds for children ; (46.) II. 543
5. Registry of Landed Estates :
Bill to establish a register of landed estates ; (20.) - - - II. 595
Same [as amended in Committee] ; (55.) - - - II. 619
6. Sale and Transfer of Land (Ireland) :
Bill to facilitate the sale and transfer of land by simplifying and consolidating the
law relating to judgments, and by providing for the protection of purchasers
against Crown debts in Ireland ; (6.) - - - II. 741
7. Titles to Landed Estates, Simplification of :
Bill to simplify the title to landed estates ; (19.) - - - II. 803
Same [as amended in Committee] ; (54.) - - - II. 827
8. Titles to Land (Scotland) Act, Extension and Amendment :
Bill to extend certain provisions of the titles to land (Scotland) Act, 1853, to
titles to lands held by burgage tenure ; and to amend the said Act ; (93.)
II. 853
9. Trustees, Relief, and Law of Property Amendment :
Bill, intituled, an Act to further amend the Law of Property, and to relieve Trustees ;
(45.) - - - II. 37
Same [as amended in Committee] ; (71.) - - - II. 51
10. War Department, Purchase of Common Rights by :
Bill to make further provision for the purchase of common and other rights by
Her Majesty's Principal Secretary of State for the War Department, and in
relation to land vested in or taken by such Secretary of State ; (89.) - I. 307

Land Tax :

Return of the number of persons employed in collecting the taxes paid into the
Exchequer, distinguishing the number employed for the land, assessed, property,
and income tax, and those employed in the Excise department of the Inland
Revenue, and the number employed in collecting the Customs dues ; (21.)
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Landed Estates Court (Ireland) :

- I. *Estimate.*
- II. *Accounts and Papers.*

I. Estimate :

Estimate of sums to be voted on account of Landed Estates Court, Encumbered
Estates, &c., 1858; 1858-59; (in 186.) - - - XIV. 851

Landed Estates Court (Ireland)—continued.**II. Accounts and Papers :****Rules and Orders of Landed Estates Court (Ireland) :**

Number of petitions presented since the 1st day of November last, for sale of land ; for partition ; for an investigation of title and conveyance with an indefeasible title ; for a declaration of indefeasible title ; and relating to the sale of settled estates ; and number of sales (if any) had in said court pursuant to section 49 of the Act for sale and transfer of land (Ireland) ; (83.) - - - XXII. 139

Salaries of the judges and other officers of the Landed Estates Court in Ireland, and of the compensations allotted to the several retired officers of the Incumbered Estates Court, under the statute 21 & 22 Vict. c. 72 ; (161.) - XXII. 165

Land's End :

Report of Captain Vetch, R. E., on the capabilities, &c., of St. Ives Bay, as a site for a harbour of refuge ; [in App. to 2506-1.] - - - X. Part I. 66

Larceny :

A Bill to consolidate and amend the statute law of England and Ireland relating to larceny and other similar offences ; (117.) - - - II. 1

Larne Harbour :

Report addressed to the Secretary of the Admiralty by Captain George Evans, R. N., dated the 31st day of July 1846, upon the Harbour of Larne, surveyed by order of the Admiralty ; (104.) - - - XXV. 379

Launch of Vessels :

Return of the vessels launched in the dockyards each year since 1852, showing their guns, tonnage, and horse power ; (in App. to 182.) - - - XIV. 741

Law and Justice :**I. Bills :**

1. Law Ascertainment.
2. Law of Property and Trustees Relief Amendment.

II. Estimate.**III. Accounts and Papers :**

1. Bankrupts' Certificates.
2. Bankruptcy (Scotland).
3. College of Advocates (Doctors' Commons).
4. County Courts Commitment.
5. Ecclesiastical Courts.
6. Court for Divorce and Matrimonial Causes.
7. Divorce and Matrimonial Causes Court.
8. Probate Court.
9. Hocquard v. The Queen, Ship "Newport."
10. Landed Estates Court (Ireland).
11. Lord's Day Observance Act, Southampton.
12. Magistrates, County Palatine of Lancaster.
13. Session Clerks.
14. Statute Law Commission.
15. Judicial Statistics.

I. Bills :**1. Law Ascertainment :**

A Bill to afford facilities for the more certain ascertainment of the law administered in one part of Her Majesty's dominions when pleaded in the courts of another part thereof ; (67.) - - - II. 33

2. Law of Property and Trustees Relief Amendment :

Bill, intituled, an Act to further amend the Law of Property, and to relieve Trustees ; (45.) - - - II. 37

Same [as amended in Committee] ; (71.) - - - II. 51

II. Estimate :

Estimate of sum to be voted on account of law and justice in England, Scotland and Ireland, 1859-60 ; (in 186.) - - - XIV. 851

Law and Justice—*continued.*III. *Accounts and Papers:*

1. Bankrupts' Certificates:

Return of the number of applications for bankrupts' certificates heard before each Commissioner during each of the last five years, until the 5th day of July 1858, showing the number granted, distinguishing the classes, the number suspended, and the number refused: also, the number of bankrupts' examinations adjourned *sine die* in each year; (52.) - - - - - XXII. 1

2. Bankruptcy (Scotland):

Report of the Accountant in Bankruptcy in Scotland to the Court of Session, for the year ending October 1857; (86.) - - - - - XXII. 7

3. College of Advocates (Doctors' Commons):

Copy of a communication (with Papers) addressed, on the 9th June 1858, to the Secretary of State for the Home Department, relating to the College of Advocates, Doctors' Commons; (16.) - - - - - XXII. 19

4. County Courts Commitment:

Return from every County Court in England of the number of persons taken to prison, under 9 & 10 Vict. c. 95, or any Act amending the same, in the year 1858, specifying in each case the grounds of the commitment, and various particulars; (195.) - - - - - XXII. 39

5. Ecclesiastical Courts:

Return of all persons appointed to offices or employment under the Acts for abolishing the Ecclesiastical courts; salaries and emoluments thereof; compensations awarded; the age of such persons, distinguishing such as have been appointed to any office under the said Act; (194.) - - - - - XXII. 47

6. Court for Divorce and Matrimonial Causes:

Return of the rules and regulations concerning the practice and procedure, or fixing or regulating fees made by the Court for Divorce and Matrimonial Causes, together with the return of all fees and monies levied in the year ended 31 December 1858:—Also, return of the annual salaries of the judge ordinary, and of persons holding offices in the said court; (106.) - - - - - XXII. 71

7. Divorce and Matrimonial Causes Court:

Return of persons appointed to any office, with their salaries and emoluments for 1858, stating whether such persons hold any other office; number of applications to the court since January 1858; cases in which dissolutions have been decreed; cases undefended or set down for trial; number appointed for trial before a full court, with or without a jury, or by a single judge; number of days occupied by the court in all the above cases; (269.) - - - - - XXII. 89

8. Probate Court:

Return of all persons appointed to the Probate Court with salaries and emoluments, 1858, stating whether holding any other office; number of probates applied for and granted, and number of contentious cases in the Probate Court in 1858:—Also, returns relating to the registrar's office; and amount of money received, 1858:—And a return of the number of grants of administration in 1858; (268.) - - - - - XXII. 105

9. *Hocquard v. The Queen, Ship "Newport":*

Memorial and enclosure addressed to the Lords Commissioners of Her Majesty's Treasury on the 28th day of May 1858, by Messrs. Pinto, Perez & Co., in reference to the judgment of the Judicial Committee of the Privy Council on the appeal of *Hocquard v. The Queen, Ship "Newport,"* from the Vice-Admiralty Court of St. Helena, and of the reply thereto; (28.) - - - - - XXII. 123

10. Landed Estates Court (Ireland):

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Model Farms :

Returns of the name, parish, and city or county of all model farms and agricultural schools connected with the Commissioners; the date of connexion; the extent of land for agricultural purposes under each, &c.; of the number of the pupils on the roll at each agricultural school for the quarter ending 31st March last; of the number of resident agricultural boarders at present in each school, &c.; (167.)

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Model Schools :

Copy of correspondence between the Board of Education in Ireland and the patron of the Belvoir National Agricultural Model School, in the county of Clare; (223.) - - - - - XXI. Part II. 35

Molasses :

Returns of the total number of gallons of proof spirits distilled in England, Scotland, and Ireland respectively; distinguishing the quantities produced from malt, from a mixture of malt and unmalted grain, or from sugar, or from molasses; also, the total quantity of each sort in the United Kingdom, for the year ending 31 December 1858, &c.; (260.) - - - - - XXV. 285

Moldavia and Wallachia :

Convention between Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, relative to the organisation of the principalities of Moldavia and Wallachia, signed at Paris, August 19, 1858; [2454.] - - - - - XXVII. 81

Money Orders ;

Number and amount of money orders issued and paid in the United Kingdom during last twenty years ; [in 2493.] - - - - - VIII. 460

Statement showing the amount of money orders issued and paid at certain towns during the years 1857-58 ; [in 2493.] - - - - - VIII. 462

Montrose Burgh :

Bill to abolish the ministers' money or annuity tax levied within the city of Edinburgh, the parish of Canongate, and burgh of Montrose, as vacancies occur among the present ministers, and to make provision for their successors ; (26.) I. 699

Moray Firth :

Report of the Commissioners on Harbours of Refuge in favour of the establishment of a harbour of refuge at Moray Firth ; [in 2474.] - - - - X. Part I. 9

Moreton Bay district :

Further papers relative to the separation of the Moreton Bay district from New South Wales ; [2505.] - - - - - XVII. 157

Mortality (Army) :

1. *Dumdum (East Indies).*
2. *Trinidad.*

1. *Dumdum (East Indies) :*

Copy of any reports of correspondence which may have been received in the department of the Secretary of State for War, or the Secretary of State for India, on the subject of the mortality which occurred in the year 1858, among the women and children quartered in the barrack at Dumdum, in the Presidency of Bengal ; (131.) XIX. 275

2. *Trinidad :*

Correspondence up to the latest date concerning the mortality and sickness of the 41st Regiment at Trinidad, and concerning the unhealthy location of the barracks in that colony ; (202.) - - - - - XV. 383

Mortar and Rocket Apparatus :

List of stations of the mortar and rocket apparatus on the coasts of the United Kingdom, belonging to the Board of Trade, and in the charge and management of the Coast Guard, alphabetically arranged ; [in App. to 2475.] - XXV. 559

Sums paid out of the Mercantile Marine fund towards saving life from shipwreck, distinguishing payments to crews of life boats, and rewards and gratuities to fishermen and others, and sums paid for the maintenance of the mortar and rocket apparatus ; [in App. to 2475.] - - - - - XXV. 559

Mortgages :

Bill, intituled, An Act to further amend the Law of Property and to relieve Trustees ; (45.) - - - - - II. 37

Same [as amended in Committee] ; (71.) - - - - - II. 51

Mountsorrel Railway :

Report of the Board of Trade on the Mountsorrel Railway Bill ; (6-xcv.) XIII. 543

Much Wenlock and Severn Junction Railway :

Report of the Board of Trade on the Much Wenlock and Severn Junction Railway Bill ; (6-LVI.) - - - - - XIII. 449

Mundy, Colonel :

Copy of any Order in Council, or Minute of the Secretary of State for War, varying the civil establishment of the War Department as fixed by the Order in Council, bearing date the 6th day of June 1855, whereby the office of Deputy Assistant Secretary at War was abolished, and Colonel Mundy removed from his office of permanent Under Secretary of State for War, with date of his appointment and removal ;—and, of any Treasury Minute granting a pension of 1,000 l. a year to Colonel Mundy for loss of office, when not receiving a like sum for his services from the public ; (149.) - - - - - XV. 393

Municipal Affairs (Belfast) :

I. *Bill.*II. *Report.*I. *Bill :*

Bill for carrying into effect the report of the Commissioners appointed to inquire into the state of the municipal affairs of the borough of Belfast; (98.) I. 203

II. *Report :*

Report of the Commissioners appointed to inquire into the state of the municipal affairs of the borough of Belfast, in Ireland; [2470.] - - - XII. 305

Municipal Elections :

Bill to amend the law relating to municipal elections; (16.) - - II. 301

Same [as amended in Committee]; (56.) - - - II. 309

Same [as amended in Committee, and on re-commitment]; (70.) - - II. 319

Same [as amended in Committee, on re-commitment, and on consideration of Bill as amended]; (75.) - - - II. 329

Munitions of War, Patents for Inventions in :

Bill to amend the law concerning patents for inventions with respect to inventions for improvements in instruments and munitions of war; (87.) - - II. 389

Mutiny (East Indies) :

Return of the name or number of each regiment and regular and irregular corps in India which has mutinied, or manifested a disposition to mutiny, since 1 January 1857; of the number of officers and men present with each regiment and corps at the outbreak of the mutiny; of the date of the first intimation received by any officer of the regiment or corps being disposed to mutiny; and of the date when information thereof was received by the Governor General of India, or the Governor of Bombay, &c.; (133.) - - - XVIII. 1

Copies of correspondence between the late Court of Directors, the President of the late Board of Control, and the present Secretary of State for India, respecting the artillery forces in India, from the commencement of the late mutiny to the present date; (216.) - - - XIX. 73

Papers relating to the mutiny in the Punjab in 1857; (238.) - XVIII. 307

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N.

National Debt :

1. *Advances to Government.*
2. *Annuities.*
3. *Additions made.*
4. *Amount of.*
5. *Exchequer Bills and Balances.*
6. *Funded and Unfunded.*
7. *Income and Expenditure.*
8. *Military Savings Banks.*
9. *Receipts and Expenditure by the Commissioners.*
10. *Savings Banks.*

1. *Advances to Government :*

Applications made by the First Lord of the Treasury and the Chancellor of the Exchequer to the Governor and Deputy Governor of the Bank of England for advance to Government authorised by Parliament, from 5 January 1858 to 5 January 1859, &c.; (38.) - - - XIV. 47

2. *Annuities :*

Account of the gross amount of all bank annuities and long annuities, and any other annuities for terms of years transferred, and of all sums of money paid to the Commissioners for the Reduction of the National Debt; and the gross amount of annuities for lives and for terms of years which have been granted, under the provisions of the Acts 10 Geo. 4. c. 24, 3 Will. 4. c. 14, and 16 Vict. c. 45, within the year ending 5th January 1859; (in 270.) - - - XIV. 39

3. *Additions made :*

Account of all additions which have been made to the annual charge of the public debt by the interest of any loan that hath been made, or annuities created, in the last ten years (1849 to 1858 inclusive); presented in pursuance of an Act 27 Geo. 3. c. 13, s. 72; and also showing how the charge incurred in respect of the same has been provided for; (77.) - - - XIV. 31

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Total amount of national debt at the end of each year, 1844–1858; [in 2517.]
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5. *Exchequer Bills and Balances:*

Accounts of Exchequer bills, &c. purchased; balances of sums issued for dividends, and account of sums received and expended by the Commissioners for the Reduction of the National Debt; (37.) - - - - XIV. 43

Exchequer bills raised, charged on supplies and unprovided for; (127.) XIV. 1

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6. *Funded and Unfunded:*

Returns showing the amount of the capital of the funded debt on the 1st day of July 1858, and on the 1st day of February 1859:—Of the amount of the unfunded debt at the dates:—And, of the amount of Exchequer bills which have been funded between the 1st day of July 1858 and the 1st day of February 1859; the dates of such funding; the rates at which the conversions were effected; and the prices of consols and of Exchequer bills at such dates; (93.)
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7. *Income and Expenditure:*

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Account of the gross public income and expenditure for the year ended the 30th day of September 1858, together with the balance in the Exchequer at the commencement and at the termination of the year; and the amount of funded or unfunded debt created or redeemed in the said year:—And, like account for the year ended the 31st day of December 1858; (1.) - - - XIV. 5

Return of public income and expenditure for nine months, from the 31st day of March 1858 to the 31st day of December 1858, with the balance in the Exchequer on the 31st day of December 1858; (58.) - - - XIV. 11

Account of the gross public income and expenditure for the year ending the 31st day of March 1859; together with the balance in the Exchequer at the commencement and at the termination of the year, and the amount of funded or unfunded debt created or redeemed in the said year; (214.) - - - XIV. 15

8. *Military Savings Banks:*

Account of the amount due by the public to depositors in Military Savings Banks on 31 March 1856 and 31 March 1857, &c., pursuant to Acts 5 & 6 Vict. c. 71, and 8 & 9 Vict. c. 27; (191.) - - - XV. 379

Account of the gross amount of all monies received and paid by the Commissioners for the Reduction of the National Debt, and of the gross amount of stock bought and sold by and transferred to the said Commissioners, on account of "The Fund for the Military Savings Banks," pursuant to Act 8 & 9 Vict. c. 27, s. 5, from the 19th September 1845 to the 5th January 1859, both days inclusive; (in 270.) - - - XIV. 39

9. *Receipt and Expenditure by the Commissioners:*

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10. *Savings Banks:*

Accounts of the number of depositors, and of charitable institutions and friendly societies depositing their funds in savings banks, and of the sums deposited, divided into classes, from 20 November 1857 to 20 November 1858 (in continuation of Parliamentary Paper, No 57, of Session 1857–58); (262.)
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Return of the weekly and total increase or decrease of sums paid or withdrawn by the trustees of savings banks, between 20 November 1857 and 20 November 1858, with the amounts of stock purchased or sold by the Commissioners for the Reduction of the National Debt, and amount of uninvested balances in the hands of the said Commissioners on account of savings banks, during the same period (in continuation of Parliamentary Paper, No. 57-1. of Session 1857-58); (262-1.) - - - - - XIV. 251

National Education (Ireland):

I. *Report*.II. *Accounts and Papers*:

1. Kavanagh, J. W.
2. Pupils on the Rolls, Teachers, School Business, &c.
3. Model Farms and Agricultural Schools.

I. *Report*:

Twenty-fourth Report of the Commissioners of National Education in Ireland (for the year 1857), with appendices, Vol. I.; [2456-1.] - - - - VII. 1

Twenty-fourth Report, Vol. II.; [2456-11.] - - - - VII. 363

II. *Accounts and Papers*:

1. Kavanagh, J. W.:

Correspondence from July 1857, between the Commissioners of National Education in Ireland and Mr. James W. Kavanagh:—Names of the members appointed on the special Committee, in reference to Mr. Kavanagh, with the names of those subsequently added; the precise matters which the committee was first appointed to investigate, with a statement of any others afterwards added; sittings of the committee, attendance of members, minutes of the business transacted, and report of the committee; (254.) - - - - XXI. Part II. 131

2. Pupils on the Rolls, Teachers, School Business, &c.:

Number of pupils on the rolls for the quarter ended the 31st day of March 1858:—Number of literary and other teachers and workmistresses in all Irish national schools; specifying the number of each religious denomination, with the amount paid as salary, year ended the 31st day of March 1858:—Number of managers of each religious denomination on the 31st day of March 1858:—Names of officers in the Board's service in receipt of salaries or emoluments:—Names of the Commissioners of National Education in Ireland, with the number of attendances made by each at meetings:—Titles of Books published, portions of the general report of 1855, by Mr. Keenan, head inspector, as bear upon the practice of religious instruction; (148.) - - - - XXI. Part II. 377

3. Model Farms and Agricultural Schools:

Name, parish, and city or county, of all model farms and agricultural schools connected with the Commissioners, the date of connexion, the extent of land for agricultural purposes under each, &c.; of the number of pupils on the roll at each agricultural school, for the quarter ending 31 March 1858; of the number of resident agricultural boarders at present in each school; (167.)

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National Vaccine Board:

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Estimate on account for superannuation and retired allowances of the Vaccine Establishment, 1859-60; (in 186.) - - - - XIV. 852

II. *Accounts and Papers*:

Report presented to the Privy Council by the National Vaccine Board, March 1859; (203.) - - - - XXIII. 331

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Native Worship (East India) :

Despatch on the subject of the Regulation, No. 19, of 1810, Bengal Code, and the Regulation No. 7. of 1817, Madras Code, which connected the Government of India with the care, &c., of pagodas, mosques, &c.; (154.) XIX. 281

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Navigation and Trade :

1. *Address to the Queen.*
2. *Navigation Accounts.*

1. Address to the Queen :

Address to the Queen from the owners of British ships and others interested in the prosperity of British navigation, and of the subsequent correspondence in reference thereto; [2494.] - - - XXV. 407

2. Navigation Accounts :

Trade and navigation accounts for the month ended 31st December 1858, and year ended 31st December 1858; and customs duties and excise accounts for each of the years 1856, 1857, 1858; (68.) - - - XXV. 1

Trade and navigation accounts for the month ended 31st January 1859; (68-I.)

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Trade and navigation accounts for the month ended 28th February 1859, and two months ended 28th February 1859; (68-II.) - - - XXV. 71

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Trade and navigation accounts for the month ended 30th April 1859, and four months ended 30th April 1859; (68-IV.) - - - XXV. 139

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- I. *Bill.*
- II. *Report.*
- III. *Estimates.*
- IV. *Accounts and Papers :*

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2. Civil Appointments.
3. Corporal Punishment.
4. Dockyards.
5. Greenwich Hospital.
6. Manning the Navy.
7. Marine Engines.
8. Naval Coast Volunteers.
9. Naval Force.
10. Naval Law.
11. Naval Stores.
12. Pay, Victualling, Clothing, &c.
13. Pembroke Dockyards Gas Works.

14. Pensions.
15. Provisions.
16. Receipt and Expenditure.
17. Seamen :
 - i. Number Voted.
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18. Ships :
 - i. Number of Ships.
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II. Report :

Report of the Commissioners appointed to inquire into the best means of manning the navy; [2469.] - - - VI. 1

III. Estimates :

Account of naval old store monies and extra receipts in 1858, and statement of cases of naval expenditure in the year ended 31 December 1858, to which the Treasury sanction has been obtained, appended; (42.) - - - XIV. 591

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Estimate for the Post-office Department (Packet Service) 1859-60; (44.)	XIV.	745
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Report of a Committee appointed by the Treasury to inquire into the Navy Estimates, from 1852 to 1858, and into the comparative state of the navies of England and France; (182.)	XIV.	703

IV. *Accounts and Papers:*1. *Chronometers:*

Applications made to the Board of Admiralty, the Hydrographer, and the Astronomer Royal, since 20 December 1852, for pecuniary rewards, on account of improvements made in chronometers; and list of chronometers placed on the Government trials at the Royal Observatory at Greenwich, distinguishing those purchased by the Board of Admiralty, with the prices awarded for them (in continuation of Parliamentary Paper, No. 69, of Session 1852-53); (142.)	XV.	575
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Names and rank of all naval officers on full pay holding civil appointments who, on the 1st day of March, were on leave of absence; showing when such leave commenced, and when it has expired or will expire; (248.)	XV.	179
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3. *Corporal Punishment:*

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4. *Dock Yards:*

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5. *Greenwich Hospital:*

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Letter from Mr. J. Allen, R.N., respecting the present condition of Greenwich Hospital; [in App. to 2469.]	VI.	373

6. *Manning the Navy:*

Royal warrant for inquiry into manning the navy; (84.)	XV.	397
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Abstract of various schemes for manning the Royal navy, forwarded to the Commission, but which have not been printed; [in App. to 2469.]	VI.	373
Plan for raising and training lads for the naval service, by Captain W. B. Oliver, R.N.; [in App. to 2469.]	VI.	373

7. *Marine Engines:*

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Admiralty resolutions for the Royal naval coast volunteers ; [in App. to 2469.] VI. 373

9. Naval Force :

Comparison of naval force of Great Britain 1858 with that of 1809, and statement of half-pay, superannuation, and full pay of Royal Navy in 1812, and from 1816 to 1859 ; [in App. to 2469.] - - - - - VI. 373

Abstract of the naval force of England, showing where employed on the 1st December 1852 and 1st December 1858, including number of ships and guns, and complement or number of men employed ; [in App. to 182.] - XIV. 728

10. Naval Law :

Paper, intituled, " Naval Law for the Defence of the Country," by Captain W. King Hall, R.N. ; [in App. to 2469.] - - - - - VI. 373

11. Naval Stores :

Prices paid for the principal articles of naval stores (except iron) in the years 1852 and 1858, and the quantity of stores, &c. ; (in App. to 182.) - - XIV. 729

12. Pay, Victualling, Clothing, &c. :

Pay, victualling, clothing, &c. of officers, seamen, marines, &c., including coast guard of England and France ; (in App. to 182.) - - - XIV. 739

13. Pembroke Dockyards Gasworks :

Specifications, drawings, and plans for the additional bed of No. 10 retorts for gas in Pembroke Dockyards gasworks.—Returns relative to the working of the gasworks, 1856–58, taking the whole twelvemonths' working in each year in detail, and the total cost of the works and mains, together with length and sizes of the several mains, and the number of lights burning ; (256.) - - XV. 611

14. Pensions :

Return of the number of seamen and marines, and warrant officers, in receipt of out-pensions for wounds and hurts, and the amount of pensions :—Also like return of, pensions for services, specifying the number of each class of pensions ; (30.) XV. 515

15. Provisions :

Prices of provisions in the estimate for 1852–53 and 1858–59, and estimated quantities required ; (in App. to 182.) - - - - - XIV. 729

16. Receipt and Expenditure :

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Number of men voted for the sea service in each year 1815–58–59 inclusive, distinguishing boys, marines, and coast guard ; (97.) - - - XV. 443

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Statement of seamen, boys, and marines voted for the naval service, and actually borne, from the year 1756 to the year 1856 ; [in App. to 2469.] - VI. 373

Number of seamen, &c. voted for Royal Navy, and number of men employed in commercial marine, 1756–1858, and rate of wages of able seamen out of the port of London, 1835–58 ; [in App. to 2469.] - - - - - VI. 373

Statement of the number of seamen (including officers), boys, and marines voted for the naval service, and actually borne, from the year 1810 inclusive, being the highest number ever borne, to the present time, 1858–59 ; (in App. to 182.) XIV. 735

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18. *Ships*:

i. Number of Ships:

Number of steam ships and vessels added to the navy in the year 1848, and each subsequent year, divided into ships of the line, frigates, and other classes of vessels, and distinguishing those which have been built, converted and purchased; with the total of each class in each year, and grand total in all the years:—And, of the number of steam ships and vessels in the navy afloat, and building or converting, on the 1st day of January 1859, divided into ships of the line, frigates, and other classes of vessels, and distinguishing screw and paddle-wheel vessels; (65.) - - - - - XV. 501

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Statement of the number of sailing British and French ships, being ships of the line, frigates, sloops, and brigs, at certain periods between 1778 and 1850; (in App. to 182.) - - - - - XIV. 732

List of the sailing ships which may be considered as effective; (in App. to 182.)

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ii. Alterations of Ships:

Report of the Surveyor of the Navy respecting the alleged unnecessary alterations of Her Majesty's ships during the last eleven years, and on the Votes and Expenditure under Votes Nos. 8, 9, and 10 of the Navy Estimates during the same period; (180.) - - - - - XV. 505

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Report of the Board of Trade on the Vale of Neath Railway Bill; (6-cxxxix.)

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Report of the Board of Trade on the Newcastle-under-Lyme, Silverdale, and Madely Junction Railway Bill; (6-cxx.) - - - - - XIII. 615

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Newport, The Ship (*Hocquard v. The Queen*):

Memorial and enclosure addressed to the Treasury, on 28th May 1858, by Messrs. Pinto, Perez & Co., of Clutched Friars, in the city of London, in reference to the judgment of the Judicial Committee of the Privy Council on the appeal of *Hocquard v. The Queen*, Ship "Newport," from the Vice-Admiralty Court of St. Helena, and of the reply thereto:—And, account of the expenses incurred by the Crown in respect of the said appeal; (28.) - - - - - XXII. 123

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- Bill to repeal certain Acts and parts of Acts relating to newspapers, pamphlets, and other publications; and to printers, typefounders, and reading rooms; (27.) - - - - - II. 343
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- Estimated number of books, packets, and chargeable newspapers delivered in the United Kingdom, in the years 1856, 1857, 1858; [in App. to 2493.] VIII. 458
- Estimated number of free newspapers delivered in the United Kingdom, in the years 1856, 1857, 1858; [in App. to 2493.] - - - - - VIII. 459

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- Report on the state of the drainage of New Windsor; [in 2512.] - XII. 287

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3. *Additions made.*
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6. *Funded and Unfunded.*
7. *Income and Expenditure.*
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9. *Receipts and Expenditure by the Commissioners.*
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II. Accounts and Papers:**1. Expenditure:**

Returns of the whole of the expenditure paid out of the Consolidated Fund, or by annual votes of Parliament, for the erection of the Queen's colleges in Ireland, and for the annual support and endowment of same, including also the Queen's University, for each year since their foundation, &c.; (168.) XXI. Part II. 415

2. Correspondence:

Copy of the correspondence which has passed between the President of the Queen's college in Ireland, and the Irish Government, in reference to the residence of the presidents in their respective colleges; (197.) - XXI. Part II. 411

Universities (Scotland):

Two ordinances by the Scottish Universities Commissioners, with reference to the Universities of Aberdeen and Edinburgh; (156.) - - XXI. Part II. 429

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Unshipment of Goods :

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Urlingford Union (Ireland) :

Application of the chaplain of the Urlingford Workhouse, in the year 1854, for two deserted or foundling children therein; namely, John and Richard Fatunati; and the reply or resolution of the Board of Guardians thereon:—Correspondence between the Poor Law Commissioners, the Board of Guardians, and the master of said workhouse:—Opinions of the Attorney and Solicitor General on the case:—Judgment of the Court of Queen's Bench on the mandamus issued against the said Board of Guardians of the Urlingford Union, in relation to the said children; (150.) - - - - - XXIV. 641

Opinions given by Her Majesty's law advisers on the subject of the religious registration of deserted children in Ireland; (251.) - - - - - XXIII. 163

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Vacating Seat in Parliament. see *Bankrupts.*

Vaccination (England) :

I. *Estimate.*II. *Accounts and Papers :*I. *Estimate :*

Estimate of sum to be voted on account for superannuation and retired allowances of the vaccine establishment, 1859–60; (in 186.) - - - XIV. 852

II. *Accounts and Papers :*

Report presented to the Privy Council by the National Vaccine Board, March 1859, for the preceding year; (203.) - - - - - XXIII. 331

Proceedings taken as regards the regulation of public vaccination under the Public Health Act, 1858; [in 2512.] - - - - - XII. 259

Minute of the National Vaccine Establishment, 17 November 1858; [in 2512.] XII. 286

Vaccination (Ireland) :

1. *Report.*2. *General Orders.*3. *Number of Cases.*4. *Workhouses.*1. *Report :*

Reports under Vaccination Act. Circulars to Boards of Guardians, to dispensary committees; [in App. to 2491.] - - - - - IX. 336

2. *General Orders :*

General order prescribing regulations relative to vaccinations under the Act 21 and 22 Vict. c. 64, 23 September 1858; [in App. to 2491.] - - - IX. 336

3. *Number of Cases :*

Number of cases of vaccination in each province in the year 1858; [in 2491.] IX. 335

4. *Workhouses :*

Return of the number of persons vaccinated in the workhouses and auxiliary establishments of the several unions in Ireland by the medical officers of those institutions, and of the number vaccinated in the several dispensary districts by the medical officers of dispensaries, under the Medical Charities Act, in the year ended 30 September 1858: Abstract from returns made by the respective medical officers: Summary of the same; [in App. to 2491.] - IX. 336

Vale of Llangollen Railway :

Report of the Board of Trade on the Llangollen Railway Bill; (6-LXXV.) XIII. 491

Vale of Llyfni Railway and Harbour :

Admiralty Report under the Preliminary Inquiries Act; (50–36.) - XIII. 175

Vale of Neath Railway :

Report of the Board of Trade on the Vale of Neath Railway Bill; (6-CXXXIX.) XIII. 673

Valuation Roll (Scotland) :

Return of the number of proprietors on the valuation roll of each county or burgh, or parliamentary combination of counties or burghs, in Scotland, having property under 10 £, but not under 5 £. of annual value; (169.) XXIII. 261

Verdicts (Scotland) :

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Vetch, Captain, R. E. :

Copy of the report lately made to the Admiralty by Captain Washington, R. N., Captain Vetch, R. E., and Mr. Barry Gibbons, C. E., on the capabilities and requirements of the port and harbour of Galway; (107.) - - XXV. 325

Vexatious Indictments :

Bill, intituled, An Act to prevent Vexatious Indictments for certain Misdemeanors; (107.) - - - - - II. 919

Victoria (London) Docks :

Report of the Board of Trade on the Victoria (London) Docks Bill; (80-viii.) XIII. 75

Victoria Station and North Western and Great Western Junction Railway :

Admiralty Report, under the Preliminary Inquiries Act, relative to the Victoria Station and North Western and Great Western Junction Railway Bill; (50-29.) - - - - - XIII. 161

Report of the Board of Trade on the Victoria Station and North and Great Western Junction Railway Bill; (6-cxxvi.) - - - - - XIII. 631

Victoria Station and Pimlico Railway :

Admiralty Report, under the Preliminary Inquiries Act, relative to the Victoria Station and Pimlico Railway Bill; (50-34.) - - - - - XIII. 171

Report of the Board of Trade on the Victoria Station and Pimlico Railway Bill; (6-cv.) - - - - - XIII. 565

Victuallers, Licences to :

Account of the number of persons in each of the several collections in the United Kingdom licensed as brewers, victuallers, to sell beer to be drunk on the premises, and to sell beer not to be drunk on the premises, from 10 October 1857 to 10 October 1858; and the number of barrels of beer exported from the United Kingdom, and the declared value thereof, and where exported to, from 1 October 1857 to 1 October 1858, distinguishing England, Scotland, and Ireland; (174.) XXV. 177

Account of the total number of quarters of malt made in the United Kingdom, from the 1st day of October 1857 to the 1st day of October 1858; distinguishing the quantity made, and the quantity used by brewers, and by victuallers, and by retail brewers, in each country (in continuation of Parliamentary Paper, No. 338, of Session 1858); (139.) - - - - - XXV. 283

Voluntary System :

Bill for facilitating voluntary provision for the purposes to which church rates are applicable, and for the extinction of church rates where such provision is made; (41.) - - - - - I. 261

Bill for voluntary commutation of church rates; (14.) - - - - - I. 275

Volunteers from Militia :

Return showing, by regiments, the number of militia volunteers released from their militia engagement to serve in the regular forces of Her Majesty, between the 1st day of January 1854 and the 31st day of December 1858; showing also the quota of each regiment (so far as the embodied militia is concerned); (2337) XV. 403

Number of volunteers given by each regiment of embodied militia to the regular army, during the year 1858; distinguishing the number of men who volunteered in the spring and autumn of that year: and, of the highest number of effectives in each of the above regiments during the year 1858, and the total number of volunteers

Volunteers from Militia—*continued.*

volunteers given by each regiment to the regular army, from the 1st day of January 1858 to the 5th day of February 1859; showing also in each case the relative proportion of the volunteers so given to the above-mentioned effectives; (158.) - - - - - XV. 401

Voters (England and Wales):

1. *Conveyance to the Poll, Expenses of.*
2. *Personation*
3. *Registration and Voting of.*

1. *Conveyance to the Poll, Expenses of:*

Bill to prohibit the payment of the expenses of conveying voters to the poll, and to facilitate polling at elections; (38.) - - - - - I. 317

2. *Personation:*

Bill for consolidating and amending the laws relating to personation; (115.) II. 399

3. *Registration and Voting of:*

Bill to amend the laws relating to the representation of the people in England and Wales, and to facilitate the registration and voting of electors; (49.) II. 649

Voters (Ireland):

Bill to amend an Act of the 13th & 14th years of Her present Majesty, for amending the laws which regulate the qualification and registration of Parliamentary voters in Ireland, by extending the time given to the clerks of the peace of counties in Ireland for the publishing of the list of voters objected to; (83.) - - - - - II. 385

Voters (Scotland):

Bill for the amendment of the law for the registration of county voters in Scotland; (24.) - - - - - II. 573
see also *Parliamentary Representation.*

W.

Wales (New South):

Further papers relative to the separation of the Moreton Bay District from New South Wales; [2505.] - - - - - XVII. 157

Copy of the Electoral Act passed by the Legislature of New South Wales; (211.) - - - - - XVII. 343

Wales (South). see *Roads, Superintendent of (South Wales).*

Walker, James:

Return, in continuation of an account rendered by Mr. James Walker, an engineer of the Trinity House, from 1834 to 1842, both inclusive, as given in Appendix, No. 5 (P.), page 413, of the Report on Lighthouses to the House of Commons in 1845, from the year 1843 to 1857, both inclusive, divided under the same heads; (62.) - - - - - XXV. 305

Wallachia and Moldavia:

Convention between Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, relative to the organisation of the principalities of Moldavia and Wallachia, signed at Paris, 19 August 1858; [2454.] - - - - - XXVII. 81

Wansbeck Railway:

Report of the Board of Trade on the Wansbeck Railway Bill; (6-cv1.) XIII. 567

Wandsworth House of Correction:

Copy of the letter addressed to the Secretary of State for the Home Department by the governor of Wandsworth House of Correction, under the direction of the visiting justices of that prison, dated the 19th day of January 1859, relating to the recommitment of prisoners under the Criminal Justice Act; (96.) XXII. 551

Wandsworth and Putney Railway:

Report of the Board of Trade on the Wandsworth and Putney Railway Bill; (6-Lxxvi.) - - - - - XIII. 493

War Department :

I. *Bill.*II. *Accounts and Papers :*1. *Contracts.*2. *Colonel Mundy.*I. *Bill :*

Bill to make further provision for the purchase of common and other rights by Her Majesty's Principal Secretary of State for the War Department, and in relation to land vested in or taken by such Secretary of State; (89.) - I. 307

II. *Accounts and Papers :*1. *Contracts :*

Return of all orders given, and contracts entered into, by the War Department for small arms, from April 1858 to March 1859; specifying, separately, London, Birmingham, Belgium, France, and America; also, number of small arms received during that period from each of the said places; (250.) - XV. 371

2. *Colonel Mundy :*

Copy of any Order in Council, or Minute of the Secretary of State for War, varying the civil establishment of the War Department as fixed by the Order in Council, bearing date the 6th day of June 1855, whereby the office of Deputy Assistant Secretary at War was abolished, and Colonel Mundy removed from his office of permanent Under Secretary of State for War, with date of his appointment and removal; and, of any Treasury Minute granting a pension of 1,000 £ a year to Colonel Mundy for loss of office when not receiving a like sum for his services from the public; (149.) - - - - - XV. 393

War, Munitions of :

Bill to amend the law concerning patents for inventions with respect to inventions for improvements in instruments and munitions of war; (87.) - - II. 389

Warburton, Rev. William :

Account, with map, of all schools for the children of the labouring classes, arranged by parishes, in the county of Wilts, by the Rev. William Warburton, M.A., one of Her Majesty's inspector of schools; (27.) - - - - - XXI. Part II. 65

Warkworth Harbour :

Evidence in favour of Warkworth Harbour as a suitable place for a harbour of refuge, with list of casualties, arrivals, &c., 1849-1858; [in App. to 2506-I.] - - - - - X. Part I. 66

Warrant Officers :

Return of the number of seamen, marines, and warrant officers in receipt of out-pensions for wounds and hurts, and the amount of pensions; and like return of pensions for services, specifying the number of each class of pensions; (30.) - - - - - XV. 515

Memorial from warrant officers, showing the relative positions of non-commissioned officers in the army and navy, and proposing a scheme for improving the condition of the navy; [in App. to 2469.] - - - - - VI. 373

Warrington and Stockport Railway :

Report of the Board of Trade on the Warrington and Stockport Railway Bill; (6-LXXVII.) - - - - - XIII. 497

Report of the Board of Trade on the Warrington and Stockport Railway Bill; (6-CXL.) - - - - - XIII. 677

Washington, Captain :

Copy of the report lately made to the Admiralty by Captain Washington, R.N., Captain Vetch, R.E., and Mr. Barry Gibbons, C.E., on the capabilities and requirements of the port and harbour of Galway; (107.) - - - - - XXV. 325

Waterford Harbour :

Report of the Harbour Commissioners as to Wexford as a harbour of refuge; necessity of deepening its approach; [in 2474.] - - - - - X. Part I. 12

Report to Royal Commissioners of Mr. Barry D. Gibbons, C.E., on the boring operations at Waterford; [in App. to 2506-I.] - - - - - X. Part I. 66

Waterford Union :

Letter from Dr. Cullenan, medical officer of Ullid dispensary district, Waterford Union, Nov. 3, 1858; [in App. to 2491.] - - - - - IX. 36

Waveney Valley Railway :

Admiralty Report, under the Preliminary Inquiries Act, relative to the Waveney Valley Railway Bill; (50-12.) - - - - - XIII. 127

Report of the Board of Trade on the Waveney Valley Railway Bill; (6-CXLV.) XIII. 691

Wear Navigation and Sunderland Docks :

Admiralty Report, under the Preliminary Inquiries Act, relative to the Wear Navigation and Sunderland Docks Bill; (50-41.) - - - - - XIII. 185

Wear Harbour of Refuge :

Memorial of the seamen of the Wear to the Royal Commissioners, praying that the Wear may be made a harbour of refuge; [in App. to 2506-I.] X. Part I. 66

Wear River :

Estimates for deepening the River Wear, furnished by Mr. D. Stevenson, c. E.; [in App. to 2506.] - - - - - X. Part I. 66

Weedon Inquiry and Manning the Navy :

Royal warrants for inquiry into the state of Weedon and for manning the navy; (84.) - - - - - XV. 397

Weights and Measures :**I. Bills :**

1. Generally.
2. Sale of Grain.

II. Accounts and Papers :

1. Report of the Astronomer Royal.
2. False Weights and Measures.

I. Bills :**1. Generally :**

Bill to amend the Act of the fifth and sixth years of William the Fourth relating to weights and measures; (92.) - - - - - II. 923

2. Sale of Grain :

Bill for the sale of grain, meal, flour, butter, and potatoes, and other agricultural produce, by the pound avoirdupois, the score of twenty pounds, the cental of one hundred pounds, and the ton of two thousand pounds; (32.) - - - II. 725

II. Accounts and Papers :**1. Report of the Astronomer Royal :**

Copy of a letter from the Comptroller General of the Exchequer to the Secretary of State for the Home Department, dated the 9th day of February 1859, and of the enclosed copy of a report from the Astronomer Royal, on the subject of weights and measures; (188.) - - - - - XXV. 291

2. False Weights and Measures.

Number of persons amerced for or convicted of using false weights and measures in the city of Westminster and county of Middlesex, for 1857, specifying extent of inaccuracy and amercement or penalty inflicted; also appropriation of such amercement or penalty; (15.) - - - - - XXII. 525

Wells and Fakenham Railway :

Admiralty Report, under the Preliminary Inquiries Act, relative to the Wells and Fakenham Railway Bill; (50-19.) - - - - - XIII. 141

Report of the Board of Trade on the Wells and Fakenham Railway Bill; (6-LXXVIII.) - - - - - XIII. 501

Welsh Steam Coal :

Copy of the report of Messrs Miller and Taplin on the evaporative power and economic value of Hartley coal; and, of similar report by the same gentlemen on the properties of Welsh steam coal, presented to the Board of Admiralty; (116.) - - - - - XXV. 209

Welton and Ecton Exchange :

Bill, intituled, An Act to effect an Exchange of Ecclesiastical Patronage between Her Majesty the Queen and Miss Sophia Broadley; (72.) - - - I. 695

West End of London and Crystal Palace Railway :

Report of the Board of Trade on the West End of London and Crystal Palace Railway Bill; (6-CXXVII.) - - - - - XIII. 633

West India Relief :

Estimate of sum to be voted on account of salaries and expenses of West India Relief Commissioners, 1852-60; (in 186.) - - - - - XIV. 850

West Indies (Immigration) :

- Papers relating to immigration to the West India colonies; [2452.] - XVI. 1
 Return showing the number of immigrants and liberated Africans admitted into each of the British West India colonies, as well as the places from whence they were introduced, for each year since 1847: and similar return for Mauritius (in continuation of Parliamentary Paper, No. 104, of Session 1858; (144.)
 XVI. 535

West London Railway :

- Admiralty Report, under the Preliminary Inquiries Act, relative to the West London Railway Bill; (50-30.) - - - - - XIII. 133
 Report of the Board of Trade on the West London Railway Bill; (6-cxLvi.)
 XIII. 693

West London and Pimlico Railway :

- Admiralty Report, under the Preliminary Inquiries Act, relative to the West London and Pimlico Railway Bill; (50-32.) - - - - - XIII. 167

Westminster Bridge :

- Bill to empower the Commissioners of Her Majesty's Works and Public Buildings to acquire additional space for the western approach to Westminster New Bridge; (100.) - - - - - II. 927

Westminster, Collegiate Church of :

- Scheme sanctioned and approved by Her Majesty in Council for authorising the sale of certain property formerly belonging to the dean and chapter of the Collegiate Church of Westminster; [in App. to 2480.] - - - XII. 102

Westminster New Palace :

- Return stating the cost of the clock in the clock tower of the New Palace at Westminster, and of all the expenses connected therewith, up to the present period; an estimate of the amount further required; and a statement of the probable time of its being completed; (258.) - - - - - XIV. 345

Westminster Public Offices :

- Bill to make further provision for enabling the Commissioners of Her Majesty's Works to acquire a site for additional offices for the public service near Whitehall and Her Majesty's Palace at Westminster; (60.) - - - II. 459
 Same [as amended by the Select Committee]; (97.) - - - II. 465

Wexford Harbour :

- Opinion of the Harbours of Refuge Commissioners as to Wexford as a harbour of refuge; [in 2474.] - - - - - X. Part. I. 11
 Report of the Committee appointed by the Town Council and Harbour Commissioners of Wexford, recommending Wexford as a fit place for a harbour of refuge; [in App. to 2506-I.] - - - - - X. Part I. 66

Wexford Union :

- Report from Dr. Hill, medical inspector, on the prevalence of small-pox in the Wexford Union, dated 26 June 1858; [in App. to 2491.] - - - IX. 336

Weymouth and Melcombe Regis Markets and Pier :

- Report of the Board of Trade on the Weymouth and Melcombe Regis markets and pier; (80-xii.) - - - - - XIII. 87

Wheat, Grain, &c. :**I. Bill.****II. Accounts and Papers.**

1. Average Prices.
2. Imported and Entered for Home Consumption.
3. Sold in Markets.

I. Bill:

- Bill for the sale of grain, meal, flour, butter, and potatoes, and other agricultural produce, by the pound avoirdupois, the score of twenty pounds, the cental of one hundred pounds, and the ton of two thousand pounds; (32.) - - - II. 725

II. Accounts and Papers :**1. Average Prices :**

- Average Gazette prices of British wheat, barley, and oats, per imperial quarter, in each month, 1844-1858; [in 2517.] - - - - - XXVI. 39

Wheat, Grain, &c.—continued.**2. Imported and Entered for Home Consumption :**

Accounts of the different varieties of corn and grain, flour and meal, reducing the latter to imperial quarters, imported into the United Kingdom in 1858; stating the countries whence the same were brought, and the quantities brought from each, in 1858;—Of the quantities of wheat and wheat flour, the latter being stated in imperial quarters of wheat, imported into the United Kingdom during each of the six years ended with 1858; stating the countries whence the same were brought, and the quantities brought from each;—And showing, in imperial quarters, the quantities of wheat and wheat flour, barley and barley meal, oats and oatmeal, rye and rye meal, pease and pease meal, beans and bean meal, and of Indian corn and meal, entered for consumption in the United Kingdom, during each of the six years ending with 1858; (105.) - - XXV. 251

Quantities of wheat and of other kinds of grain, and of wheat and other kinds of meal and flour, imported into the United Kingdom from various countries; [in 2517]. - - - - - XXVI. 16

Quantities of wheat, paying duty, retained for home consumption in the United Kingdom; [in 2517.] - - - - - XXVI. 15

3. Sold in Markets :

Quantities of British wheat, barley, and oats sold in the principal market towns in England and Wales, in each month, 1844-1858; [in 2517.] - - XXVI. 40

Whitby Bay :

Memorials of masters and mates employed in the Baltic coal and coasting trade to the Royal Commissioners, urging the claims of Whitby Bay as a site for a harbour of refuge; [in App. to 2506-I.] - - - - - X. Part I. 66

Whitehall :

Bill to make further provision for enabling the Commissioners of Her Majesty's Works to acquire a site for additional offices for the public service near Whitehall and Her Majesty's Palace at Westminster; (60.) - - - - - II. 459

Same [as amended by the Select Committee]; (97.) - - - - - II. 465

Whitehaven Port, Harbour, and Town, and Whitehaven Harbour and Town :

Report of the Board of Trade on the Whitehaven port, harbour, and town, and Whitehaven harbour and town; (80-1x.) - - - - - XIII. 77

White, Isle of. see *Isle of Wight.*

White's Charity (Nottingham) :

Bill for confirming a scheme of the Charity Commissioners for Sir Thomas White's Charity, and the Free Grammar School in the town of Nottingham; (78.) II. 351

Wick Bay :**I. Report of the Commissioners.****II. Accounts and Papers :**

1. Extension of Harbour.
2. Shipping.

I. Report of the Commissioners :

Report of the Commissioners on Harbours of Refuge in favour of the establishment of a harbour of refuge at Wick; [in 2474.] - - - - - X. Part I. 9

II. Accounts and Papers :**1. Extension of Harbour :**

Letter from G. Loch, Esq., Deputy Governor of the British Fishery Society, to Chairman of Royal Commission, on the question of extended harbour accommodation in Wick Bay; [in App. to 2506-I.] - - - - - X. Part I. 66

2. Shipping :

List of vessels anchored in Wick Bay from the 17th to the 24th August 1858, unable to enter Pulteney Harbour through insufficiency of room; [in App. to 2506-I.] - - - - - X. Part I. 66

Wills :

- Bill to amend the Confirmation and Probate Act, 1858 ; (105.) - - I. 313
 Bill, intituled, An Act to further amend the Law of Property and to relieve Trustees ;
 (45.) - - - - - II. 37
 Same [as amended in Committee] ; (71.) - - - - - II. 51
see also Probate, Court of.

Wiltshire Schools :

- Account, with map, of all schools for the children of the labouring classes, arranged
 by parishes, in the county of Wilts, by the Rev. William Warburton, M.A., one of
 Her Majesty's inspectors of schools ; (27.) - - - XXI. Part II. 65

Wimbledon and Dorking and Epsom and Leatherhead Railways :

- Report of the Board of Trade on the Wimbledon and Dorking and Epsom and
 Leatherhead Railways Bill ; (6-cxxviii.) - - - XIII. 635

Windsor (New) :

- Report on the state of the drainage of New Windsor ; [in 2512.] - XII. 287
 Return of the total number of deaths, and of the deaths from certain diseases in the
 sub-district of Windsor during the years 1844 to 1857 inclusive, and the first
 three quarters of 1858 ; [in 2512.] - - - XII. 293
 Proceedings taken during the year 1858, under the Public Health Act of that year,
 regarding matters concerning the public health in Windsor ; [in 2512.]
 XII. 272

Wine :

- Quantities of wine retained for home consumption, paying duty, in the United
 Kingdom ; [in 2517.] - - - - - XXVI. 15

Witney Railway :

- Report of the Board of Trade on the Witney Railway Bill, No. 2 ; (6-cvii.)
 XIII. 715

Women and Children. see Aggravated Assaults.

Woods, Forests, and Land Revenues :

- Abstract accounts of the Commissioners of Her Majesty's Woods, Forests, and Land
 Revenues, for the year ended 31st March 1858 ; with report of the Commissioners
 of Audit, dated 28th January 1859, thereon ; (23.) - - - XIV. 347
 Return of the gross and net income of the Woods and Forests, and other Crown
 property, in each year from 1816 to 1858, both inclusive ; and showing the sums
 of money expended in each year for general, current, and ordinary cost of
 management, and for improvements, less or more of a permanent nature, including
 draining, planting, building farmhouses, and such like objects ;—Also, an account
 of all sums received in each year for the sale of Crown properties and placed to
 capital account, and of all sums reinvested in new property from that fund ;
 (122.) - - - - - XIV. 365
 Letters that have passed between the 26th of June 1858 and the present time,
 between the Secretary of State for War, or the Commissioners of Woods and
 Forests and the Park and Recreation Grounds Committee, in reference to the
 site of the citadel of Hull ; correspondence that has passed since the 26th of
 June 1858, between the corporation of Kingston-on-Hull and the Lords of the
 Treasury, as to Hull citadel ; also, correspondence with reference to the sale of
 the citadel site, Hull, between the Hull Dock Company and the War Depart-
 ment, and the Office of Woods and Forests ; (160.) - - - XXV. 337

Wool :

- Quantities of wool (sheep, lamb, and alpaca) imported into the United Kingdom
 from various countries ; [in 2517.] - - - - - XXVI. 19

Woolwich Arsenal :

- I. *Estimate :*
 II. *Accounts and Papers :*
 1. Brass Ordnance.
 2. Iron Ordnance.

I. Estimate :

- Supplemental estimate of the sum required to be voted for the year 1859–60,
 towards defraying the charge for buildings, machinery, stores, and wages for
 the Rifled Ordnance Factory at Woolwich Arsenal ; (193.) - - - XIV. 585

Woolwich Arsenal—*continued*.II. *Accounts and Papers* :

1. Brass Ordnance :

Return of the total expenditure, from the 1st day of September 1856 to the 31st day of March 1859, upon the establishment for the manufacture of brass ordnance at Woolwich, separately specified under the following heads, viz.:—Buildings, machinery, stores, salaries, wages, and miscellaneous expenses; the number of each description of ordnance cast; their calibre; distinguishing those proved, completed, and placed ready for service in store, from those rejected as being found imperfect before or after proof whilst in course of completion; (246.) - - - - - XV. 367

2. Iron Ordnance :

Return of the total expenditure for one year, ending the 31st day of March 1859, upon the establishment for the manufacture of iron ordnance at Woolwich, separately specified under the following heads, viz.:—Buildings, machinery, stores, salaries, wages, and miscellaneous expenses; the number of each description of ordnance cast; their calibre; distinguishing those proved, completed, and placed ready for service in store, from those rejected as being found imperfect before or after proof, whilst in course of completion (in continuation of Parliamentary Paper, No. 423, of Session 1858); (247.) - - - XV. 369

Woolwich Dockyard :

Statement of the dockyard area (including basins), with available land annexed, together with the number of building-slips and docks; (in App. to 182.) XIV. 732

Worcester and Hereford Railway :

Report of the Board of Trade on the Worcester and Hereford Railway Bill; (6-cviii.) - - - - - XIII. 573

Workhouses (Ireland) :

Bill to amend the Acts for the relief of the destitute poor in Ireland by removing doubts as to the religious registration in workhouses of deserted children, and providing for the out-door maintenance of orphan and deserted children; (65.) - - - - - II. 455

see also Poor.

Workmen :

1. *Combination of.*
2. *Councils of Conciliation.*

1. *Combination of* :

Bill to explain an Act of the sixth year of the reign of King George the Fourth, to repeal the laws relating to the combination of workmen, and to make other provisions in lieu thereof; (66.) - - - - - I. 303

2. *Councils of Conciliation* :

Bill to establish equitable councils of conciliation and arbitration to adjust differences between masters and operatives; (42.) - - - - - II. 283

Works, Board of :

I. *Bills* :

1. Court of Probate.
2. Public Offices.
3. Westminster Bridge.

II. *Accounts and Papers*.I. *Bills* :

1. Court of Probate :

Bill to enable the Commissioners of Her Majesty's Works to acquire a site for the purposes of Her Majesty's Court of Probate, and other courts and offices; (61.) - - - - - I. 507

Same [as amended by the Select Committee]; (110.) - - - - - I. 543

Works, Board of—continued.**I. Bills—continued.****2. Public Offices :**

- Bill to make further provision for enabling the Commissioners of Her Majesty's Works to acquire a site for additional offices for the public service near Whitehall and Her Majesty's Palace at Westminster; (60.) - - - - II. 459
- Same [as amended by the Select Committee]; (97.) - - - - II. 465

3. Westminster Bridge :

- Bill to empower the Commissioners of Her Majesty's Works and Public Buildings to acquire additional space for the western approach to Westminster New Bridge; (100.) - - - - II. 927

II. Accounts and Papers :

- Abstract accounts of the receipt and expenditure of the monies granted or otherwise received and appropriated in the department under the control or management of Her Majesty's Works and Public Buildings in the year ended 31st March 1858; together with report of the Commissioners of Audit, dated 31st January 1859, thereon; (61.) - - - - XIV. 369

Wounds, Pensions for :

- Return of the number of seamen, marines, and warrant officers in receipt of out-pensions for wounds and hurts, and the amount of pensions; and like return of pensions for services, specifying the number of each class of pensions; (30.) - - - - XV. 515

- Return of the number of seamen and marines invalided at home, from the 1st day of January 1856 to the 31st day of July 1858; stating the day of invaliding, the wounds or injuries received, and the date of awarding the pension or gratuity; (31.) - - - - XV. 447

Wraysbury :

- Proceedings taken during the year 1858, under the Public Health Act of that year, regarding matters concerning the public health in Wraysbury; [in 2512.] - - - - XII. 270

Wrecks and Casualties :

- Statement of the number of lives lost and saved; of the amounts granted out of the Mercantile Marine Fund as rewards for the salvage of life, for contributions towards the maintenance of life-boats, and for expenses in connexion with the mortar and rocket apparatus for saving life during the same period, and a précis of the special inquiries instituted into the causes of such wrecks and casualties by order of the Board of Trade; [2475.] - - - - XXV. 557

- Sums paid out of the Mercantile Marine Fund towards saving life from shipwreck, distinguishing payments to crews of life-boats and rewards and gratuities to fishermen and others, and sums paid for the maintenance of the mortar and rocket apparatus; [in App. to 2475.] - - - - XXV. 559

- List of persons to whom rewards have been granted for distinguished and gallant services in saving life from shipwreck, &c., during the year 1858; [in App. to 2475.] - - - - XXV. 559

see also Shipwrecks.

Writerships (East Indies) :

- Examination papers set for an open competition for eight writerships in the India House; [in 2511.] - - - - VIII. 201

- Open competition for eight writerships in the offices of the Secretary of State for India in Council, 18-20th January 1859; [in 2511.] - - - - VIII. 83

Writings, Threatening :

- Bill to consolidate the statute law of England and Ireland relating to libellous and threatening writings; (116.) - - - - I. 577

Writs of Right :

- Bill to amend the law relating to petitions of right, to simplify the proceedings, and to make provision for the costs thereof; (52.) - - - - II. 407
- Same [as amended in Committee]; (85.) - - - - II. 417

Z.

Zanzibar :

Copies or extracts of the letters of the Government of Bombay to Her Majesty's Secretary of State for India, or the Court of Directors, forwarding letters written in August and September 1858, by Captain Rigby, the Company's agent at Zanzibar, on the subject of the slave trade at Zanzibar and along the Mozambique Coast; (111.) - - - - - XXVII. 1

Zealand, New :

Number of emigrants from the United Kingdom to the Australian colonies and New Zealand, 1844-58; [in 2517.] - - - - - XXVI. 45

ARRANGEMENT
OF
THE PAPERS
PRINTED BY ORDER
OF
THE HOUSE OF COMMONS,
AND OF
THE PAPERS PRESENTED BY COMMAND,
Session 1859,
17th PARLIAMENT.—3^d SESSION.—22^o VICTORIA.
IN TWENTY-SEVEN VOLUMES.
WITH
A LIST OF PAPERS AND ALPHABETICAL INDEX.
TOGETHER WITH
A TABLE AND INDEX TO THE PUBLIC GENERAL ACTS
PASSED IN THIS SESSION.

3 February — 19 April 1859.

22° VICT.

ARRANGEMENT
OF
The Papers Printed by Order of the House of Commons,
AND OF
The Papers Presented by Command,
Session 1859.

VOLUMES; viz.

	Volumes.
1.—BILLS, PUBLIC - - - (Two Volumes) - - -	I.—II.
2.—REPORTS FROM COMMITTEES - (Two Volumes) - - -	III.—IV.
3.—REPORTS FROM COMMISSIONERS (Nine Volumes) - - -	V.—XIII.
4.—ACCOUNTS AND PAPERS - - (Fourteen Volumes) - - -	XIV.—XXVII.

1.—BILLS, PUBLIC:—TWO VOLUMES: I.—II.

VOLUME

I.—(1.)—Admiralty Court; Adulteration of Food or Drink; Affidavits by Commission; Affidavits by Commission, &c.; Aggravated Assaults; Appeals in Criminal Cases; Bankruptcy and Insolvency; Burial Places; Charitable Uses; Church Rates; Church Rates Abolition; Church Rates Commutation; Coinage Offences; Combination of Workmen; Common Rights, &c. (War Department); Confirmation and Probate Act (1858) Amendment; Conveyance of Voters; Convict Prisons Abroad; County Courts; County Prisons (Ireland); Court of Probate, &c. (Acquisition of Site); Criminal Writings; Cruelty to Animals; Debtor and Creditor; East India Loan; Ecclesiastical Commission; Ecclesiastical Courts and Registries (Ireland); Edinburgh, &c. Annuity Tax; Elections, &c.; Endowed Schools; Endowed Schools (No. 2); Forgery; Galway Harbour and Port Act (1853) Amendment (Ireland); High Sheriffs' Expenses; Highways; Inclosure; Juries (Ireland).

II.—(2.)—Larceny; Law Ascertainment; Law of Property and Trustees Relief Amendment; Local Assessment Exemption Abolition; Local Government (Supplemental); Lunacy Regulation Act (1853) Amendment; Lunatic Asylums, &c.; Lunatic Poor (Ireland); Lunatics Care and Treatment; Malicious Injuries; Manor Courts, &c. (Ireland); Manslaughter; Markets (Ireland); Marriage Law Amendment; Married Persons (Scotland); Masters and Operatives; Medical Act (1858) Amendment; Municipal Elections; Naval Medical Supplemental Fund Society Annuities, &c. Act Continuance; Newspapers, &c.; Nottingham Charities; Oaths Act Amendment; Occasional Forms of Prayer; Offences against the Person; Parliamentary Voters (Ireland); Patents for Inventions (Petitions of War); Pauper Maintenance Act Continuance; Personation; Petitions of Right; Piers and Harbours; Poor Law Boards (Payment of Debts); Poor Law and Medical Charities (Ireland) Act Amendment; Poor Relief (Ireland) Acts Amendment; Public Offices Extension; Railway Tickets Transfer; Real Estate Intestacy; Receivers in Chancery (Ireland) Abolition, &c.; Recreation Grounds; Registration of Births, &c. (Ireland);

Sess. 1859.

1.—BILLS, PUBLIC :—*continued.*

VOLUME

- II.—(2.) (Ireland); Registration of County Voters (Scotland); Registry of Landed Estates; Remission of Penalties; Representation of the People; Roman Catholic Oath; St. James, Baldersby, Marriages Validity; Sale of Grain, &c.; Sale of Poisons, &c.; Sale and Transfer of Land (Ireland); Savings Banks (Ireland) Act Continuance; Superannuation; Title to Landed Estates; Titles to Land (Scotland); Tramways (Ireland); Trial by Jury (Scotland); Weights and Measures Act Amendment; Westminster New Bridge.
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2.—REPORTS FROM COMMITTEES :—Two VOLUMES : III.—IV.

VOLUME

- III.— (1.)—Private Bills; Railway and Canal Bills; Expiring Laws; Jews Act; Lunatic Poor (Ireland) Bill; Lunatics; Court of Probate, &c. (Acquisition of Site) Bill; Gas (Metropolis).
- IV.— (2.)—Colonization and Settlement (India).
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3.—REPORTS FROM COMMISSIONERS :—NINE VOLUMES : V.—XIII.

VOLUME

- V.— (1.)—Army (Indian), Organization of.
- VI.— (2.)—Navy: Manning the Navy.
- VII.— (3.)—Education (Ireland); Queen's University (Ireland); Queen's College (Cork).
- VIII.— (4.)—Civil Service; Decimal Coinage; Post Office; Topographical Department; War Office.
- IX.— (5.)—Lunacy; Lunacy (Scotland); Medical Charities (Ireland); Poor Laws (England); Poor Relief (Scotland).
- X.-I.—(6.—Part I.)—Harbours of Refuge.
- X.-II.—(6.—Part II.)—Ditto.
- XI.— (7.)—Prisons (England and Wales); Prisons (Scotland).
- XII.— (8.)—Charities; Church Estates; Copyholds; Ecclesiastical; Factory Inspectors; Inclosures; Public Health, Medical Officer; Tithes.—Ireland: Belfast Borough; Chancery Offices; Ecclesiastical; Marriages.—Scotland: Births, Deaths and Marriages.
- XIII.— (9.)—Highland Roads and Bridges; Harbours, Docks, &c.; Local Acts, Preliminary Inquiries; Railway and Canal Bills; Turnpike Trusts.
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4.—ACCOUNTS AND PAPERS :—FOURTEEN VOLUMES: XIV.—XXVII.

VOLUME

- XIV.— (1.)—Finance: Estimates, &c.
 - XV.— (2.)—Army, Navy.
 - XVI.— (3.)—Colonies: Immigration.
 - XVII.— (4.)—Colonies: British Columbia; Moreton Bay District, &c.
 - XVIII.— (5.)—East Indies: Mutiny; King of Delhi; Oude Proclamation, &c.
 - XIX.— (6.)—East Indies: Financial Matters, &c.
 - XX.— (7.)—Church Rates; Ecclesiastical Charities.
 - XXI.—I.—(8.—Part I.)—Education: Report of Committee of Privy Council.
 - XXI.—II.—(8.—Part II.)—Education: Universities, Schools, &c.
 - XXII.— (9.)—Law; Police; Crime.
 - XXIII.—(10.)—House: Parliamentary; Miscellaneous.
 - XXIV.—(11.)—Poor: England and Ireland.
 - XXV.—(12.)—Trade: Shipping; Harbours.
 - XXVI.—(13.)—Statistical: Agricultural Statistics (Ireland); Judicial Statistics.
 - XXVII.—(14.)—Slave Trade Treaties; State Papers; Index.
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